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DHR #01-03
1/31/03

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 01-03

DOCUMENTS DEPT.
FEB 3 2003
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DATE: January 31, 2003

TO: Department Heads
Department Personnel Officers
Department Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Additional Leave of Absence Codes for Tracking in Peoplesoft HRMS

The Department of Human Resources is about five weeks away from implementing the transition of all Health Service System (HSS) benefits administration data and functionality into the existing HRMS. HSS must be able to use HRMS to identify those employees who are on **unpaid leave** types for which health benefits continue with full City Match/ MOU coverage per Administrative Code Sec 16.701 (b).

In order to accomplish this, three new Leave of Absence (LOA) codes are being instituted in order to facilitate the recovery of City Match and MOU dollars to cover health benefit costs for your employees on these unpaid leave types. These are in addition to the LOA codes in DHR MEMO No. 08-02 issued on March 12, 2002.

As is the current practice, the city costs (City match/MOU coverage) will be picked up through journal entries to the respective departments for these employees. Proper recording of leaves into the HRMS will continue benefits without interruption for the employee, and facilitate collection of the correct premium amounts from the departments.

Effective for immediate use, the new codes are:

1. **SNP** - Sick Leave Without Pay
2. **WCL** - Workers' Compensation Leave
3. **UAL** - Unpaid Administrative Leave

These types of LOAs are to be entered consistent with other LOA entries, that is, when leave is at least five (5) consecutive days in duration. Employees returning to work should have a Return From Leave entry made on their HRMS record. This will prevent continued charges by HSS for an employee who has returned to paid status.

Definitions of Leave of Absence for the new codes are as follow:

1. **Sick Leave without Pay (Code SNP)**

   A. Leave pursuant to Sick Leave Without Pay, CSC Rule 120Article IV. Sick leave requested by an employee who is not eligible for sick leave with pay or who has exhausted sick leave with pay credits.

   B. Leave pursuant to Compulsory Sick Leave, CSC Rule 120 Article V. Sick leave imposed by an appointing officer after the employee has been evaluated by a designated Department of Human Resources physician, and has been found medically or physically incompetent to perform the required duties of the position. Compulsory leave may be paid or unpaid. An employee who is not eligible for sick leave with pay or who has exhausted sick leave with pay credits may take sick leave without pay.

2. **Workers' Compensation Disability Leave (Code WCL), CSC Rule 120.23.**

An unpaid leave, resulting from an employee's Workers' Compensation claim for an illness or injury arising out of and in the course of employment, which has been accepted by the Workers' Compensation Claims Adjuster; and without supplementation using paid leave credits. Please contact your department's Workers' Compensation Coordinator.

3. **Unpaid Administrative Leave (Code UAL):**

   A. Leave pursuant to San Francisco Charter Section A8.341 - Removal or Discharge of Permanent, Non-Probationary Employees which authorizes an appointing officer to place an employee on unpaid administrative leave for just cause for a period of no more than 30 calendar days unless an investigation is delayed beyond such time by the act of the accused employee.

   B. Leave pursuant to CSC Rule 120.28 – Unpaid Administrative Leave (Furloughs) which authorizes an appointing officer to impose Unpaid Administrative Leave (Furloughs) subject to receipt of a projected Deficit Notice (PDN) from the Controller stating that the department's budget will be insufficient to support the department's level of spending through the end of the fiscal year.

Changes or Additions to HRMS Users to enter LOA's: To add HRMS users or for training information contact Don Yamamoto (Donald.Yamamoto@sfgov.org). HRMS users who currently have authorization to enter LOA's will be able to enter these new codes, no additional action is required.

For further information, please direct your questions to the DHR Internal Services Analyst assigned to your department.

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DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 02 - 03

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Date: January 31, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENT - REASSIGNMENT**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, job code 5148 Water Operations Analyst is hereby reassigned from Bargaining Unit 1 – Z to Bargaining Unit 8 – Q. The job code will continue to be represented by Stationary Engineers, Local 39. The unit reassignment is effective ***February 15, 2003***.

Job Code	Unit Assignment	Certified Representative
5148 Water Operations Analyst	8 - Q	Stationary Engineers, Local 39 (EGC:039)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the bargaining unit reassignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil

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Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, Ca. 94102. Such requests are to be received no later than 20 calendar days from the date of this notice. Please contact Kate Favetti at 252-3250 to request the required form if you wish to file a protest regarding the unit reassignment set forth above. If you have questions regarding the reassignment, please contact Janet Rogers at 557-4915.

cc: Kate Favetti, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR No. 03-03

DATE: January 31, 2003

TO: Department Heads
Departmental Personnel Officers

FROM Andrea R. Gourdine
Human Resources Director

SUBJECT: ***Lactation Workplace Accommodation***

On October 13, 2001, the State of California passed Assembly Bill 1025, Lactation Accommodation. Pursuant to AB 1025, all California employers, including the City and County of San Francisco, are required to provide private space and a reasonable amount of break time during work hours to accommodate employees who are nursing mothers.

Under this statute:

- Employers must allow sufficient break time for breastfeeding employees to express milk at a privately designated work area. The break may run concurrently with existing scheduled rest periods. If it is not possible for breastfeeding breaks to run concurrently with break time already provided to the employee, the employer must make available a separate break time, but that break time may be unpaid.

- Employers are required to make reasonable efforts to provide breast-feeding mothers with appropriate space in close proximity to the employees' work area to express milk in private. Appropriate space is a private room or space, other than a bathroom stall.

- The statute does not require that a separate room be set aside for the sole purpose of providing lactation accommodation. However, since many employees work in open spaces or group situations, a private space with another primary purpose may need to be designated during scheduled periods for the purpose of lactation accommodation. The statute permits the room or other location provided by the employer for the purpose of expressing milk to include the place where the employee normally works, such as the employee's private office.

- Although not required, employers are encouraged to provide such amenities as a chair, sink, and electrical outlet in the lactation space, and the use of a refrigerator if available.

- Although the statute does not require employers to notify employees of their right to lactation accommodation, departments should make this information available by including a notice in maternity leave packets and by posting a notice in break rooms/on employee bulletin boards. A sample notice will be provided to you for posting and/or distribution.

- Departments should instruct all employees to respect "do not disturb" signs and other measures intended to insure the privacy of nursing mothers.

PENALTIES FOR VIOLATIONS: The statute subjects employers who violate the provisions of AB 1025 to a civil penalty of $100 per violation.

Attached for your reference is a copy of provisions of AB 1025 legislation. Please review the statute and prepare to take necessary steps to accommodate and protect the privacy of employees who are nursing mothers.

Should departments have any questions regarding this statute, departments can contact their DHR Internal Services liaison or the Labor Team at the City Attorney's Office.

Attachment

AB 1025 Lactation Accommodation Legislation.

SECTION 1. Chapter 3.8 (commencing with section 1030) is added to Part 3 of Division 2 of the Labor Code.

CHAPTER 3.8 LACTATION ACCOMMODATION

1030. Every employer, including the state and any political subdivision, shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission shall be unpaid.

1031. The employer shall make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. The room or location may include the place where the employee normally works if it otherwise meets the requirements of this section.

1032. An employer is not required to provide break time under this chapter if to do so would seriously disrupt the operations of the employer.

1033. (a) An employer who violates any provision of this chapter shall be subject to a civil penalty in the amount of one hundred dollars ($100) for each violation.

(b) If, upon inspection or investigation, the Labor Commissioner determines that a violation of this chapter has occurred, the Labor Commissioner may issue a citation. The procedures for issuing, contesting, and enforcing judgments for citations or civil penalties issued by the Labor Commissioner for violations of this chapter shall be the same as those set forth in Section 1197.1.

(c) Notwithstanding any other provision of this code, violations of this chapter shall not be misdemeanors under this code.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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04-03

MEMORANDUM

DHR No. 04-03

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DATE: February 14, 2003

TO: Appointing Officers
Departmental Personnel Managers
Personnel and Payroll Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: ***Change to Appointment Processing Procedures, Steps and Form***

Effective March 1, 2003, the Department of Human Resources will transition all Health Service System (HSS) benefits administration data and functionality into the existing HRMS (PeopleSoft). Because HSS will use the data in PeopleSoft to enroll new employees, all appointments must be entered into the system prior to an employee arriving at HSS offices for membership processing.

Therefore, effective March 1, 2003, the appointment processing procedure (including the Appointment Processing form) will be revised as follows:

Validation Process Change

Departments will be required to FAX a copy of the completed and signed Appointment Processing form (DHR 6-12c) and a copy of any required Separation Reports to the DHR Referral Office for appointment validation. Validation will result in an AP number. This process must be completed prior to an employee proceeding through the required appointment processing steps, which include the Health Services System offices.

Submission/Processing Procedures for Permanent Civil Service, Permanent Exempt and Temporary Exempt Appointments

STEP 1: The department must FAX a copy of the completed and signed Appointment Processing form and any required Separation Report forms to the DHR Referral Office at (415) 557-4834.

STEP 2: The DHR Referral staff will first check to see if the appointment is valid. If it is valid, they will proceed with the validation. If it is not valid, they will contact the department both by telephone and by e-mail to advise that they cannot proceed and that the appointment will not be entered in HRMS.

A. For permanent (PCS) and permanent exempt (PE) appointments, the DHR Referral Office will process the Appointment Processing document within 24 hours (next business day).

B. For temporary exempt (TE) appointments, the DHR Referral Office will process the Appointment Processing document within 72 hours (three business days).

STEP 3: When the appointment has been entered, the appointment (AP) number will be available to the department through the employee records in HRMS (PeopleSoft).

STEP 4: The department must write or type the AP number on the original copy of the Appointment Processing form. The employee should then follow the appointment processing steps.

STEP 5: When the employee has completed the appointment processing steps, the original copy will be submitted in the usual manner to the DHR Referral Office. The DHR Referral staff will do a final audit of the appointment.

Submission/Processing Procedures for Provisional Appointments

STEP 1: For provisional (PV) appointments, the departments will continue to obtain the Oral Authorization (OA) from the DHR Equal Employment Opportunity (EEO) Office.

STEP 2: After the department has obtained the OA, made a job offer, and the job offer has been accepted, the department prepares the appointment processing documents in final form for the provisional appointment.

STEP 3: The department will FAX a copy of the completed and signed Appointment Processing form and any required Separation Report forms to the DHR EEO office at (415) 557-4803.

STEP 4: For provisional appointments the DHR EEO Office will process the Appointment Processing document within 24 hours (next business day).

STEP 5: When the appointment has been entered, the appointment (AP) number will be available to the department through the employee records in HRMS (PeopleSoft).

STEP 6: The department must write or type the AP number on the original copy of the Appointment Processing form. The employee should then follow the appointment processing steps.

STEP 7: When the employee has completed the appointment processing steps, the original copy will be submitted in the usual manner to the DHR Referral Office. The DHR Referral staff will do a final audit of the appointment.

IMPORTANT NOTES: When a Separation Report is required to process the appointment, the Separation Report must be obtained from the appropriate department prior to the submission of the Appointment Processing form. The Department should FAX a copy of the Separation Report together with the Appointment Processing form to be validated. Failure to do so will result in a "HOLD" and the appointment will not be processed.

Appointment Processing Form Changes

A revised Appointment Processing form is attached. The changes to the form include:

1. Adding employee address and telephone number.
2. Consolidating Department Control Number and DHR Requisition number in one box.
3. Consolidating List number and List ID in one box.
4. Clarifying the requirements for a Separation Report in the "Current Employees Only" box.
5. Adding destination addresses in the "Applicant Processing" box.
6. Moving and retitling the following boxes (which will be completed by the department) up to the top of the form:
   a. "S/W Date" (start work date).
   b. "Code SX" (gender code).
   c. "Code RE" (race/ethnicity code).
   d. "Code SF" (San Francisco resident)).

If you have any questions, please contact your Internal Services Analyst.

TY:az

Enclosure

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

APPOINTMENT PROCESSING

NAME (LAST, FIRST, MI)

HOME ADDRESS

HOME PHONE

PIN | DATE ISSUED | DHR USE ONLY AP-

DATE OF BIRTH | SOCIAL SECURITY NO.

TYPE OF APPOINTMENT
- ☐ PERMANENT
- ☐ NON-CIVIL SERVICE
- ☐ CERTIFIED TEMP (TCS)
- ☐ EXEMPT-PERM
- ☐ PROVISIONAL
- ☐ EXEMPT-TEMP
- ☐ LIMITED TENURE
- ☐ EXEMPT-RETIREE

WORK SCHEDULE
- ☐ AS NEEDED/SEASONAL
- ☐ FULL –TIME
- ☐ PART-TIME 20 OR MORE
- ☐ PART-TIME LESS THAN 20
- ☐ SCHOOL TERM PART-TIME
- ☐ SCHOOL TERM

JOB CODE | JOB TITLE

LIST ID/LIST NO. / | RANK | DHR RQ/DEPT. REQ NO. /

DEPT. NO./ABBREV. / | DEPARTMENT NAME

START WORK DATE | GENDER CODE | RACE/ETHNICITY CODE | SF RESIDENT ☐ YES ☐ NO | CERTIFICATION/REFERRAL DATE

IS THIS PERSON NOW EMPLOYED BY THE CITY AND COUNTY OF SAN FRANCISCO? ☐ YES ☐ NO

IF YES, CURRENT APPOINTMENT
- ☐ PERMANENT
- ☐ NON-CIVIL SERVICE
- ☐ CERTIFIED TEMP (TCS)
- ☐ EXEMPT-PERM
- ☐ PROVISIONAL
- ☐ EXEMPT-TEMP
- ☐ LIMITED TENURE
- ☐ EXEMPT-RETIREE

JOB CODE	DEPT. NO./ABBREV. /	DEPARTMENT NAME
JOB CODE	DEPT. NO./ABBREV. /	DEPARTMENT NAME

CURRENT EMPLOYEES ONLY

IS THIS PERSON NOW WORKING IN THE SAME DEPARTMENT AND CLASS ON THE SAME REQUISITION IN ANOTHER APPOINTMENT STATUS? ☐ YES
1. DATE EMPLOYEE BEGAN WORKING IN YOUR DEPT UNDER TCS OR PROVISIONAL APPOINTMENT _____
2. DO NOT COMPLETE A SEPARATION REPORT

☐ NO A SEPARATION REPORT MUST ACCOMPANY

IF NOT A CURRENT CITY EMPLOYEE, HAS EMPLOYEE WORKED PREVIOUSLY ☐ YES ☐ NO

DEPT. NO./ABBREV. /	JOB CODE	JOB TITLE	STATUS	FROM	TO

APPOINTING OFFICER: SIGNATURE/TITLE | DATE

APPOINTEE: SIGNATURE | DATE

APPOINTMENT PROCESSING: GO ONLY TO THE STEPS CHECKED AS REQUIRED. YOU MUST DO THEM IN THE ORDER LISTED.

STEP	REQUIRED	NOT REQUIRED			AGENCY USE
1.	☐	☐	REPORT TO CURRENT OR FORMER DEPARTMENT		_____
2.	☐	☐	MEDICAL EXAM:	DATE: _____ TIME: _____	_____
3.	☐	☐	FINGERPRINTING:	DATE: _____ TIME: _____ 44 GOUGH STREET @ MARKET	_____
4.	☐	☐	RETIREMENT SYSTEM:	30 VAN NESS AVENUE, THIRD FLOOR	_____
5.	☐	☐	HEALTH SERVICE SYSTEM:	1145 MARKET STREET, SECOND FLOOR	_____
6.	☐	☐	RETURN THIS FORM TO YOUR NEW DEPARTMENT		_____

DEPARTMENT: FORWARD THIS FORM (AND SEPARATION REPORT IF REQUIRED) TO DEPARTMENT OF HUMAN RESOURCES

DHR USE ONLY

TO THE APPOINTING OFFICER: YOU ARE AUTHORIZED TO EMPLOY THIS APPOINTEE IN ACCORDANCE WITH CITY ORDINANCES AND COLLECTIVE BARGAINING AGREEMENTS. IF THIS IS A PERMANENT APPOINTMENT, THE PROBATIONARY PERIOD REQUIREMENTS ARE AS STATED IN THE CIVIL SERVICES RULES OR COLLECTIVE BARGAINING AGREEMENTS AS APPLICABLE.

HUMAN RESOURCES DIRECTOR

	INITIALS
CONVICTIONS	_____
N STR	_____
DISABILITY	_____
ID VERIFIED	_____
RQ LOG	_____
POSTED	_____

CW SEN _____

CW DEPT NO _____

DEPT SEN _____

_____ / _____
DATE INITIALS

CERTIFICATION TYPE _____

_____ / _____
DATE INITIALS

VALIDATION

_____ / _____
DATE INITIALS

DHR 8-12C (Rev. 2/03)

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DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR # 05 - 03

Date: January 31, 2003

To: Appointing Officers
Departmental Personnel Managers
Personnel Clerks

From: Andrea R. Gourdine
Human Resources Director

Subject: **Temporary Exempt Employment Under Charter Section 10.104.16**

The Department of Human Resources continues to monitor the number of hours worked in this fiscal year for temporary exempt employees who were hired under Charter Section 10.104.16. These employees may not exceed the equivalent of half-time (1040 hours) during any fiscal year.

A PeopleSoft query is run every pay period to identify employees who have worked (1) at least 500 hours and up to 749 hours, (2) 750 hours and up to 1040 hours, and (3) 1041 hours and more. Memos are sent to each department's Departmental Personnel Officer notifying them when the employees have reached the 500 and 750 hour thresholds. Copies of these memos are sent to the Mayor's Budget office and the Controller's. The Controller's office only is sent a memo identifying employees who have exceeded the 1040 hour limit.

Departments are encouraged to review the tabulations and contact Internal Services if the department believes there are anomalies in the employee's hourly count for the fiscal year.

If you have any questions call Gilda Cassanego, Sr. Personnel Analyst, Internal Services Analyst at 557-4859.

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DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR No. 06 - 03

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DATE: January 31, 2003

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **ORDINANCE # 231-02 - MILITARY LEAVE**

On December 5, 2002, the Mayor signed Ordinance #231-02 which was adopted by the Board of Supervisors on November 25, 2002. This Ordinance amends the Annual Salary Ordinance to provide compensation during the time period December 5, 2002 to June 30, 2003 for a total of days not to exceed 180 calendar days for employees called to active military duty in response to the September 11, 2001 terrorist attacks. This Ordinance supplements pay and gives benefits to eligible employees in accordance with Charter Section A8.400(h). The Ordinance is effective December 5, 2002 and shall remain in effect through June 30, 2003. Employees are eligible for a total of days not to exceed 180 calendar days.

This memorandum provides information about this Ordinance and related military leave and pay issues. This Ordinance contains the same provisions as the previous Ordinance #222-01 which was reviewed in the Department of Human Resources' (DHR) Memorandum DHR No. 33-01 dated December 3, 2001. In addition, DHR's Memorandum DHR No. 22-01 dated October 25, 2001 addressed standard military leave policies and procedures.

HIGHLIGHTS OF THE ORDINANCE

Eligibility Criteria:

The employee must have been called to active service:
(1) on or after September 11, 2001,
(2) for a period greater than 30 consecutive days, and
(3) in response to September 11th, 2001, terrorist attacks in New York City, Washington, D.C., and Pennsylvania or related extraordinary circumstances.

Salary and Benefits During the First 30 Days:

During the first thirty (30) days of continuous active military duty, an employee eligible under either the Civil Service Rules or the Military and Veterans Code will receive full salary and benefits in addition to his/her military pay. An employee not eligible under either the Civil Service Rules or Military and Veterans Code to receive full salary and benefits for the first thirty (30) calendar days must use accrued time, i.e. floating holiday, in-lieu holiday or compensatory time off; or take the first thirty (30) calendar days as unpaid leave.

Benefits After the First 30 Days:

In addition to any benefits received during an employee's first thirty (30) days of active duty, beginning on the 31st day for a total of days not to exceed 180 calendar days, and until the expiration of the Ordinance on June 30, 2003, the employee will:

- receive the difference between the amount of the employee's gross military pay and the amount of the gross pay the employee would have received if the employee worked his/her normal work schedule, and
- continue to receive all benefits, including Retirement and Health Service, as if the employee had worked.

Exclusion:

The Ordinance does not apply to an employee who volunteers to serve on active duty beyond the time that the employee is ordered to active service.

TYPES OF LEAVES

California Military and Veterans Code Section 395 defines two (2) types of leave related to an employee's military duty:

- "temporary military leave" for a scheduled time period, less than 180 calendar days (usually 2 - 4 weeks), and
- "other than temporary military leave" which exceeding 180 calendar days.

Before processing a request for military leave, the department must determine the length of the tour of duty for the employee's military leave and the reason for the leave. To be eligible for the provisions of the Ordinance, an employee must have been called to active duty:

(1) with a military reserve organization for a period greater than thirty (30) consecutive days. (The Ordinance becomes effective on the 31st day).
(2) in response to the September 11th, 2001 terrorist attacks in New York City, Washington, D.C., and Pennsylvania or related extraordinary circumstances.

Exclusion:

The Ordinance does not apply to employees on scheduled training, drills, unit training assemblies or similar events.

FORMS TO BE COMPLETED

- Request for Leave form (DHR 7-20) with active duty orders and Separation Report form (DHR 1-67)
- Military Pay Worksheet
- Acknowledgement Form
- Power of Attorney form (An optional form that is not provided by the City).

Request for Leave Form (DHR 7-20):

The employee submits a completed Request for Leave form (DHR 7-20) for military leave and attaches copies of his/her official orders to report for active duty. The department can accept a copy of an "electronic order" which is a computerized form and will not have the military Commanding Officer's signature. Orders usually state that the employee's military status has changed from inactive to active, and direct the employee to report on a specific date and time to a particular location for military purposes. In the event that the military gives the employee short notice, e.g. 24-hours, to report for active duty, he/she must mail or fax the military orders to the department's Human Resources office as soon as possible. The department's Human Resources office prepares the Separation Report and types in the effective date of the orders as the start date, and the end date. If there is no end date specified, then type in "indefinite" as the end date. The department signs Section III of the Request for Leave form.

After verifying that the employee is eligible for military leave, the department's Human Resources office forwards a copy of the employee's Request for Leave form and copies of the official orders to the department's Payroll office. The Payroll staff processes the appropriate payment of salary. Payroll can only process the employee's military leave pay if there is a copy of the official orders.

The department also distributes the Separation Report, copies of the Request for Leave and copies of the orders to: Jonathan Nelly at the Internal Services Unit, Department of Human Resources; Yuvetta Pryor at Health Service System; and Maria Newport at Retirement System.

The period of the leave shall not exceed three (3) months after the conclusion of this service, but not later than one (1) year after the cessation of hostilities. The exception is in the case of a disability incurred while in active military service when such disability extends beyond such period. (CSC Rule 120.25.3)

Upon return from the military leave, the employee must submit a copy of the discharge and release papers. (CSC Rule 120.25.6)

Military Pay Worksheet:

The Military Pay Worksheet documents information about the employee's current City pay and the employee's military pay (actual if available or estimated). The department calculates the City pay by using the gross amounts paid in the two (2) pay periods prior to the employee's leave. If the employee was on paid leave (e.g., vacation, sick, compensatory time) for more than one (1) day during those two (2) pay periods, then the department will use the gross amount paid in the most recent pay periods during which the employee worked a regular schedule. A regular schedule includes premiums, special pay, and normal or scheduled overtime.

The department's Payroll staff and the employee complete and sign the Military Pay Worksheet form. The form is attached to this memo.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

Acknowledgment Form:

Per Charter Section A8.400(h), an employee receiving salary and benefits under the Ordinance must execute an agreement stating that the compensation (pay and benefits) received under the Ordinance will be treated as a loan if the employee:

(1) does not return to City service within 60 days of release from active duty, or

(2) if not fit for employment when released from active duty. then within 60 days of a determination that the employee is fit for employment,

Also in accordance with the Charter, the loan will:

(1) have an interest rate equal to the greater of the:

(i) rate received for the concurrent period by the Treasurer's Pooled Cash Account, or

(ii) minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute.

(2) be payable in equal monthly installments over a period not to exceed five (5) years, commencing 90 days after the employee's release from active service or return to fitness for employment.

The employee must sign and date the Acknowledgement form. The form is attached to this memo.

Power of Attorney Form (not provided by the City):

An employee who is or will be on military leave is encouraged to designate a Power of Attorney. The employee completes a Power of Attorney form stating that he/she is giving a designated person permission to carry out transactions in his/her behalf while he/she is on military leave. For example, the person that is designated as Power of Attorney can sign a Request for Leave form or deposit a paycheck for the employee. The form is usually notarized. It is the employee's responsibility to obtain and complete a Power of Attorney form, and provide a copy to the departmental Human Resource office. The City will not provide this form.

SALARY WHILE ON MILITARY LEAVE UNDER THE ORDINANCE

Under the Ordinance, an employee called to active duty for a period greater than thirty (30) consecutive days is eligible for the provisions of Ordinance on the 31st day of military service.

Determining Eligibility for Pay during the First 30 days:

The department's Human Resources office determines if the employee is eligible for salary (military leave pay) for the first 30 calendar days of military leave.

Temporary Military Leave (does not exceed 180 calendar days)

Eligibility for the thirty (30) calendar days salary is based on the:

- employee's start work date for continuous employment with City or any other public agency (including the military), and
- length of the tour of duty stated on the initial military orders.

An employee is eligible for the thirty (30) calendar days of salary if:

- he/she has been employed by the City or any other public agency (including the military) for at least one (1) year continuously prior to the start date of the temporary military leave, and
- the employee's initial military orders state that the tour of duty is for temporary military leave (does not exceed 180 calendar days).

Public agencies include the state, a county, city and county, city, municipal corporation, school, irrigation, or water district. (California Military and Veterans Code Section 389 c).

Example: During the past year, a current City employee who worked for San Mateo County for seven (7) months and has five (5) months of service with the City, would be eligible for the thirty (30) calendar days of salary if the military leave request does not exceed 180 calendar days. (CSC Rule 120.25.7)

Military Leave that Exceeds 180 Calendar Days

If the employee's initial military orders state that the tour of duty is more than 180 calendar days and the employee has been employed by the City for at least one (1) year continuously prior to the start date of the military leave, then he/she receives the thirty (30) calendar days salary from the City. (California Military and Veterans' Code Section 395.02). For this category, employment with other agencies or the military does not satisfy the one (1) year City employment requirement.

Note: Before denying an employee pay for the first thirty (30) calendar days of military leave, contact your department's Internal Services analyst.

Paying Salary during the First 30 Days:

An eligible employee will receive his/her regular salary or compensation for a period (1) not to exceed thirty (30) calendar days of military leave in any fiscal year or (2) not more than thirty (30) calendar days during any period of continuous military leave. This salary is in addition to the pay that the employee receives from the military service while on active duty.

After verifying that the employee is eligible for military leave pay (30 calendar days of salary), the department's Human Resources offices forwards a copy of the employee's Request for Leave form and copies of the official orders to the department's Payroll office. The Payroll staff processes the payment of salary. Payroll staff can only process the employee's military leave pay if there is a copy of the official orders. Each department is responsible for ensuring that military leave pay does not exceed the allowable thirty (30) calendar days under CSC Rule 120.25.7 and California Military and Veterans' Code Section 395.02.

Paying Salary on and after the 31st Consecutive Day of Active Duty:

After the first thirty (30) calendar days of active service an employee is eligible for the provisions of the Ordinance. The Ordinance provides that on the 31st consecutive day of active service for a total of days not to exceed 180 calendar days, and until the expiration of the Ordinance on June 30, 2003, the employee is eligible to receive the difference between the amount of the employee's gross military pay and the amount of gross pay the employee would have received if he/she had worked his/her normal work schedule.

The employee and the departmental payroll staff complete a Military Pay Worksheet to document information about the employee's current City pay and the employee's military pay (actual if available or estimated). The City pay is calculated by using the gross amounts paid in the two (2) pay periods prior to the employee's leave. If the employee was on paid leave (e.g., vacation, sick, compensatory time) for more than one (1) day during those two (2) pay periods, then use the most recent pay periods during which the employee worked a regular schedule. A regular schedule includes premiums or special pay, and normal or scheduled overtime.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

Note: If an employee has already received his/her first thirty (30) calendar day entitlement and the employee meets the criteria of the Ordinance, then the employee is eligible on December 5, 2002 (the effective day of the Ordinance) to receive the difference between the amount of the employee's gross military pay and the gross pay the employee would have received if the employee worked his/her normal work schedule. The employee is eligible for a total of days not to exceed 180 calendar days.

Payroll Codes:

The code MP = Military Leave Pay is used to pay an eligible employee for the work hours that occur during the first thirty (30) calendar days of a military leave. The employee will receive his/her military pay and the City pay during this time.

If an employee is not eligible for the first thirty (30) calendar day entitlement, the employee must take the first thirty (30) calendar days as unpaid or use accrued time, i.e. floating holiday, in-lieu holiday, or compensatory time off. Any unpaid time is marked ML = Military Leave Without Pay. Note: An employee who does not qualify for the 30 calendar day entitlement and has less than one (1) year service with the City will not be able to take vacation because the employee would not have completed one (1) year of City service. The employee will be eligible for the provisions of the Ordinance on 31st day of consecutive active service. The provisions are the difference between gross military pay and gross City pay, and benefits.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

BENEFITS

The Ordinance allows an employee to receive all benefits to which the employee would have been entitled to had the employee not been called to active duty, except as limited under State law or the City Charter.

Accrual of Vacation and Sick Leave:

An employee who is eligible to receive thirty (30) calendar days of military leave pay will also accrue sick leave and vacation during that time period.

If the employee is not eligible for the thirty (30) calendar days of salary (or a part of the thirty (30) calendar days of salary), the employee:

(1) may request and his/her supervisor approve the request for additional paid time off, specifically, compensatory time, floating holiday, and/or in-lieu holiday. The employee will be accruing sick leave and vacation while using this accrued time off. and/or

(2) will be marked as unpaid time (ML = Military Leave Without Pay) for days that are not paid and the employee will not be accruing sick leave and vacation during this unpaid time.

On the 31st consecutive day of service, the employee will be eligible for the provisions of the Ordinance and will accrue sick leave and vacation.

Health Service System:

An employee and his/her family qualify for health coverage from the Federal Government while on active duty. In addition, while the employee is on military leave and the Ordinance is in effect, the City will continue to make contributions on behalf of an employee previously enrolled in a health plan with the City and County Health Service System. The employee and his/her dependents can elect to continue to be covered as long as the employee pays for any required employee contribution. An employee's contribution is usually a payroll deduction.

An employee may also elect to be exempt from health plan coverage during their military leave. If the employee chooses to be exempt while on military leave, he/she must complete an Application for Exemption with the Health Service System prior to reporting to duty. An employee who elects to be exempt from health coverage during military leave must contact the Health Service System immediately upon return to work to reinstate coverage.

An employee may contact or visit the Health Service System office at 1145 Market Street, 2nd floor, (415) 554-1761, Monday - Friday, 8:00 a.m. to 4:45 p.m.

Retirement:

The employee will receive retirement service credit consistent with Charter Section A8.520. The City will continue to pay the full employee contributions required by the Charter and under the employee's collective bargaining agreement / memorandum of understanding. While on military leave, the employee will receive credit for service for the purpose of computing the benefit (pension) to which he/she is entitled. An employee who has questions regarding employee contributions, updating beneficiary and/or mailing address is encouraged to contact the Retirement System office. An employee may contact or visit the Retirement System office at 30 Van Ness Avenue, Suite 3000, (415) 487-7030, Monday - Friday, 8:00 a.m. - 5:00 p.m.

Public Employees Retirement System (PERS):

An employee who has his/her retirement plan administered by Public Employees Retirement System (PERS) may contact PERS at (415) 369-8500 for information about benefits.

MASTER LIST OF CITY EMPLOYEES ON MILITARY LEAVE

Send Separation Reports, copies of the Request for Leave form and official orders for military leave to Jonathan Nelly in the Internal Services Unit, DHR, at (415) 557-4829. The Unit will maintain a master list of City employees on military leave.

OTHER ISSUES

Entitlements for Permanent (PCS) Employees:

Any officer or employee on military leave, who was appointed to a permanent position prior to the start of the military leave, will be entitled to resume such position at the expiration of the leave. The employee will also be granted rights, seniority, salary, and otherwise that were accrued during the leave. For example, if the employee's salary step increase is scheduled to occur during the time the employee is on leave, the department processes the increment and pays the employee at that step as if the employee was working. In addition, the period of the military leave shall be considered and accounted as part of the employee's City service. (CSC Rule 120.25.5)

Entitlements for Non-Permanent (PCS) Employees:

For the duration of his/her appointment, a provisional, exempt, or temporary employee will be granted rights, seniority, salary, and otherwise that would have been accrued if the employee had been working. If an employee's appointment expires prior to his/her return to work, then departments must review each case individually to determine what options are available to the employee according to applicable CSC Rules, and DHR policies and procedures.

Status while on Military Leave:

An employee on military leave has the same employment status as any other employee on an authorized leave of absence.

Probationary Period:

If an employee is called to active duty while serving a probationary period, the employee's probationary period will be extended for time off for the military leave (CSC Rule 117.2.2). The department must notify the employee that the probationary period will be extended.

Candidates in an Examination Process:

In order to maintain examination rights, before leaving for his/her tour of duty, an employee on military leave should contact the exam analyst responsible for the examination if he/she is a candidate in a civil service examination. If the employee does not know the name and/or phone number of the exam analyst, he/she may call (415) 557-4800 to find out the name and/or phone number of the exam analyst. In addition, the Internal Services Unit will provide the list of all employees on military leave to Merit System Services and the Decentralized Examination Units.

CSC Rule 120.25.11 addresses participants in written examinations.

Eligibles on a Certification / Referral:

Once notified by the department's Human Resource office, the Internal Services Unit, DHR, will compile a list of all employees on military leave and provide this list to the DHR Referral Unit. If an employee is an eligible on a civil service list, he/she does not need to contact DHR. The Referral Unit will check referrals against the list for names of employees on military leave. For specific information about an employee who is an eligible on a civil service list while on military leave, contact the DHR Referral Unit.

CSC Rule 120.25.9 addresses eligibles not reached for certification (referral) while in the service at the time of war. CSC Rule 120.25.10 addresses eligibles reached for certification (referral) while in the military service.

Language in the Local 21 MOU and the CBA for SEIU Locals 250, 535, and 790:

The Local 21 MOU and the CBA for Locals 250, 535, and 790 have provisions for military leave. The provisions are identical to the CSC Rule 120, Article VII: Military, War Effort and Sea Duty Leave. The military leave provisions in the Local 21 (2001 - 2003) MOU are located in the Appendix D Glossary on pages 3 and 4, and SEIU's (2000 - 2003) CBA provisions are on pages 81 and 82.

Replacement of Employees on Military Leave:

The employee's position may be backfilled according to the Charter, CSC Rules, and DHR policies and procedures.

Updating Personal Information:

The department's Human Resources office may remind each employee to update personal information such as home address, telephone number, emergency contact information, warrant designation form, retirement, deferred compensation beneficiaries, and other documents related to personal insurance.

Military Benefits and/or Entitlements:

An employee requesting information about military benefits and/or entitlements must contact the military personnel offices. Information about mortgages and other personal financial matters is available at www.HUD.gov.

Questions:

Please contact your department's Internal Services analyst for more information.

MILITARY LEAVE WORKSHEET

This worksheet should be completed by the employee and the employing department. A copy of the employee's Military Orders and completed leave form must be attached. The dates on the Request for Leave form must be the same as the dates on the Military Order.

I. *Employee completes this section.*

Print Name(*last, first*)	Job Class Number and Title	Social Security No.
Home Address	City, State, Zip Code	Home Phone No.
Department No., Name, and Bureau/Division		Dates of Military Leave Start: End:
Emergency Contact Person for more information	Relationship	
Home Address	City, State, Zip Code	Phone No.

II. Pay Information

1. *Employees pay and benefits calculation*

The following City pay information should correspond to the gross amounts paid in the two pay periods prior to the employee's leave. If the employee was on paid leave (i.e., vacation, sick, compensatory time) for more than one day during those periods, use the most recent pay periods during which the employee worked a regular schedule. If the two pay periods result in different amounts of a minor difference, calculate the average.

*1.1. This section to be completed by **Department's payroll contact**.*

a. Biweekly Gross Pay	$
b. Premiums or Special Pay	$
c. Normal or Scheduled Overtime	$
d. Total Gross City Pay	$

*1.2. This section to be completed by **employee**. If the employee is unable to complete this section, contact Internal Services at 415-557-4829.*

e. Military Gross Pay *(estimate if unknown)* Is this amount an ___ estimate or ___ actual as shown in a military document *(Please check one)*	
f. Military Pay Allowances *(please describe, e.g., combat, clothing, housing, submarine, aviation)*	
g. Total Military Gross Pay	

MILITARY LEAVE WORKSHEET

EMPLOYEE'S NAME (LAST, FIRST)	EMPLOYEE'S SOCIAL SECURITY NO.

The difference between your normal City gross pay and your Military gross pay is the gross amount for which you will be paid for up to 180 calendar days during the life of the ordinance while you are on active military service. Deductions will be made for the applicable taxes, Medicare, Social Security, and any other appropriate charges (e.g. dependent health, retirement buyback, union dues, garnishments).

III. Pay Disposition *(Employee completes this section.)*

1. If you have direct deposit, do you wish to continue? Please circle one: YES or NO IF "NO", complete forms provided by your Department's payroll contact.	
2. If you do not have or discontinue direct deposit, please list the name and address of the person to whom you want your paycheck mailed.	
Print Name	Phone Number
Home Address	City, State, Zip Code

IV Signatures

Employee's Signature _____ Date _____

Department-Authorized Representative's Signature _____ Date _____

Print Name of Department-Authorized Representative _____ Phone Number _____

FOR OFFICIAL USE ONLY (This section is to be completed by Department's payroll contact.)	
Military Pay Amount:	
Total Gross City Pay minus Military Pay equals:	
Start Date of Deductions:	

cc: Dept. of Human Resources/Internal Services
Payroll & Personnel Services Division (PPSD)
Health Service System
Employee's Personnel File

(Print Name) (Social Security #)

(Home Address, City, Zip Code)

(Dept. # and Dept. Name)

ACKNOWLEDGEMENT

I understand that under the San Francisco City Charter, Section A8.400(h), I am responsible for repaying with interest all supplemental pay and the pecuniary value of any benefits ("Compensation") described in Sections (b) (1) through (b) (3) of the Military Pay Ordinance which I receive from the City while on military leave if I do not return to City employment within:

(a) 60 days of my release from active duty; or
(b) within 60 days of a determination that I am fit to return to City employment.

I understand that interest paid shall be calculated at a rate equal to the greater of the rate received for the concurrent period by:

(a) the Treasurer's Pooled Cash Account, or
(b) the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute.

I understand that I will be responsible for repaying Compensation received in equal monthly installments over a period not to exceed 5 years, and commencing:

(a) 90 days after my release from active service, or
(b) 90 days after I am determined to be fit to return to City employment, as the case may be.

I understand that I shall not be paid any of my retirement accumulations or credits until repayment has been made and that the City may take such action as may be necessary to effect full recovery of any unpaid amount.

(Employee 's Signature) (Date)

cc: Maria Newport, Retirement
Pamela Levin, Controller

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 07-03

DATE: February 18, 2003

TO: Department Heads
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Lactation Workplace Accommodation - Flyer

As a follow up to Memorandum No. 03-03, attached is a copy of the flyer departments may distribute to inform City employees of the Lactation Workplace Accommodation Program. Please distribute this flyer to your employees and post it on bulletin boards.

Should departments have any questions regarding this program, contact your DHR Internal Services liaison or the Labor Team at the City Attorney's Office.

AG:az

Attachments: DHR Memo No. 03-03
Flyer

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DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 03-03

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DATE: January 31, 2002

TO: Department Heads
Departmental Personnel Officers

FROM Andrea R. Gourdine
Human Resources Director

SUBJECT: *Lactation Workplace Accommodation*

On October 13, 2001, the State of California passed Assembly Bill 1025, Lactation Accommodation. Pursuant to AB 1025, all California employers, including the City and County of San Francisco, are required to provide private space and a reasonable amount of break time during work hours to accommodate employees who are nursing mothers.

Under this statute:

- Employers must allow sufficient break time for breastfeeding employees to express milk at a privately designated work area. The break may run concurrently with existing scheduled rest periods. If it is not possible for breastfeeding breaks to run concurrently with break time already provided to the employee, the employer must make available a separate break time, but that break time may be unpaid.

- Employers are required to make reasonable efforts to provide breast-feeding mothers with appropriate space in close proximity to the employees' work area to express milk in private. Appropriate space is a private room or space, other than a bathroom stall.

- The statute does not require that a separate room be set aside for the sole purpose of providing lactation accommodation. However, since many employees work in open spaces or group situations, a private space with another primary purpose may need to be designated during scheduled periods for the purpose of lactation accommodation. The statute permits the room or other location provided by the employer for the purpose of expressing milk to include the place where the employee normally works, such as the employee's private office.

- Although not required, employers are encouraged to provide such amenities as a chair, sink, and electrical outlet in the lactation space, and the use of a refrigerator if available.

- Although the statute does not require employers to notify employees of their right to lactation accommodation, departments should make this information available by including a notice in maternity leave packets and by posting a notice in break rooms/on employee bulletin boards. A sample notice will be provided to you for posting and/or distribution.

- Departments should instruct all employees to respect "do not disturb" signs and other measures intended to insure the privacy of nursing mothers.

PENALTIES FOR VIOLATIONS: The statute subjects employers who violate the provisions of AB 1025 to a civil penalty of $100 per violation.

Attached for your reference is a copy of provisions of AB 1025 legislation. Please review the statute and prepare to take necessary steps to accommodate and protect the privacy of employees who are nursing mothers.

Should departments have any questions regarding this statute, departments can contact their DHR Internal Services liaison or the Labor Team at the City Attorney's Office.

Attachment

AB 1025 Lactation Accommodation Legislation.

SECTION 1. Chapter 3.8 (commencing with section 1030) is added to Part 3 of Division 2 of the Labor Code.

CHAPTER 3.8 LACTATION ACCOMMODATION

1030. Every employer, including the state and any political subdivision, shall provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee. Break time for an employee that does not run concurrently with the rest time authorized for the employee by the applicable wage order of the Industrial Welfare Commission shall be unpaid.

1031. The employer shall make reasonable efforts to provide the employee with the use of a room or other location, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. The room or location may include the place where the employee normally works if it otherwise meets the requirements of this section.

1032. An employer is not required to provide break time under this chapter if to do so would seriously disrupt the operations of the employer.

1033. (a) An employer who violates any provision of this chapter shall be subject to a civil penalty in the amount of one hundred dollars ($100) for each violation.

(b) If, upon inspection or investigation, the Labor Commissioner determines that a violation of this chapter has occurred, the Labor Commissioner may issue a citation. The procedures for issuing, contesting, and enforcing judgments for citations or civil penalties issued by the Labor Commissioner for violations of this chapter shall be the same as those set forth in Section 1197.1.

(c) Notwithstanding any other provision of this code, violations of this chapter shall not be misdemeanors under this code.

City and County of San Francisco

Provides break time to accommodate employees desiring to express breast milk for their infant child

A reasonable amount of break time is provided to accommodate an employee desiring to express breast milk for her infant child. The break time shall, if possible, run concurrently with any break time already provided to the employee.

Reasonable efforts shall be made to provide the employee with the use of a private room or other location in close proximity to her work area.

Interested employees should contact their supervisor to discuss arrangements for a privately designated area.

Interested employees should contact their departmental personnel office for additional information concerning the Lactation Accommodation Legislation.

DHR03/11/07

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 08 - 03

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Date: February 21, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENTS - INITIAL ASSIGNMENTS**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignments are hereby determined as indicated below. These assignments are effective ***March 1, 2003***.

Job Code	Unit Assignment	Certified Representative
1130 Youth Commission Advisor, Board of Supervisors	A - P	San Francisco Association of Personnel Professionals (SFAPP), Local 21 (EGC :022)
1437 Shelter Office Assistant Supervisor	4 - B	United Public Employees, Local 790, SEIU (EGC: 790)
3376 Animal Care Assistant Supervisor	2 - B	" " " " " " "
3378 Field Services Assistant Supervisor	2 - B	" " " " " " "

By copy of this memorandum it is requested that departments with employees in the affected job codes notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

(over)

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, Ca. 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at 252-3250 to request the required form if you wish to file a protest regarding the unit assignments set forth above. If you have questions regarding these assignments, please contact Janet Rogers at 557-4915.

In general, provisions of the collective bargaining agreement with the employee organizations listed above will apply prospectively to employees in the assigned job codes from the effective date of the assignments.

cc: Kate Favetti, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR. No. 09 - 03

Date: February 26, 2003

To: Department Heads
Personnel Officers

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman, Director
Employee Relations Division

Subject: **NOTICE TO UNREPRESENTED EMPLOYEES**

The Employee Relations Division of the Department of Human Resources has scheduled two meetings to meet and confer pursuant to Charter Section A8.409.1. In order to provide notification for affected unrepresented employees, the attached memorandum is being forwarded to your office for immediate posting. Please post this Notice (attached memorandum) in locations accessible to affected unrepresented employees. Additionally, please ensure posting at applicable worksites.

For additional information, you may contact Janet Rogers at 557-4915. Thank you for your assistance and prompt attention to this request.

Attachment

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Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR. No. 09 - 03

Date: February 26, 2003

To: Department Heads
Personnel Officers

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman, Director
Employee Relations Division

Subject: **NOTICE TO UNREPRESENTED EMPLOYEES**

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Attachment

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DEPARTMENT OF
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RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM

Date: February 26, 2003

To: Unrepresented Employees Covered under Ordinance No. 96-02

Through: Geoffrey L. Rothman, Director
Employee Relations Division

From: Janet L. Rogers, Senior Personnel Analyst
Employee Relations Division

Subject: **NOTICE TO MEET & CONFER PURSUANT TO CHARTER SECTION A8.409.1**

Employees in classifications not represented by a recognized employee organization are entitled to represent themselves with the City and County over wages, hours and other terms and conditions of employment to the extent required by state law and shall not be subject to the arbitration provisions of Section A8.409.4 of the Charter.

For those unrepresented employees covered under the current unrepresented ordinance (96-02) for FY 2002-2003, two meetings have been scheduled to consider forms of compensation including salaries, hours, benefits, and other terms and conditions of employment subject to approval or disapproval of the Board of Supervisors pursuant to Section A8.409.1 of the Charter.

The following dates and times have been reserved to meet with those noted, designated unrepresented employees who wish to meet and confer regarding the proposed forms of compensation specified above.

Date/Time: Tuesday, March 11, 2003 – 11:45 a.m.

AND

Tuesday, March 18, 2003 – 11:45 a.m.

Location: Office of the Employee Relations Division
Department of Human Resources
44 Gough Street, 3rd Floor
San Francisco, CA 94103

Additionally, unrepresented employees are invited to attend the Mayor's/Controller's Office Budget Briefing Overview on Tuesday, March 4, 2003, 1 - 3 p.m., South East Community Center, 1800 Oakdale, S. F.

For additional information, you may contact Janet Rogers at (415) 557-4915.

Attachment

Attachment A

LIST OF UNREPRESENTED JOB CODES PURSUANT TO CHARTER SECTION A8.409.1.

PLEASE NOTE: This list is based on information available at the time of distribution and is intended to be comprehensive. Questions or concerns about this list (including contentions that the list contains any inaccuracies) may be directed to Janet Rogers, Senior Personnel Analyst, Employee Relations Division, 44 Gough Street, San Francisco, CA 94103. The Employee Relations Division reserves the right to amend this list to ensure it is complete and contains all job codes covered by San Francisco Ordinance No. 96-02.

001 = Miscellaneous Unrepresented Job Codes
002 = Management Unrepresented Job Codes

JOB CODE	TITLE	
1229	Special Examiner	001
1766	Media Production Tech	001
1767	Media Programming Spec	001
1769	Media Production Supv	001
1777	1777 Media/Security Sys Spec	001
1781	Media/Security Syst Supv	001
1942	Asst Materials Coordinator	001
2561	Optometrist	001
2576	Sprv Clincal Psychologist	001
2782	Laundry Superintendent	001
3238	Dance Instructor	001
3246	Pianist	001
3248	Technical Inst .Assist.-Pianist	001
3438	Tree Topper Supervisor 2	001
3650	Medical Records Librarian	001
5502	Project Manager 1	001
5504	Project Manager 2	001
5506	Project Manager 3	001
5638	Environmental Assistant	001
5640	Environmental Spec	001
5642	Sr. Environmental Spec	001
8168	Parking Hearing Supervisor	001
8229	Assoc Dir of Museum Sec Svcs	001
8247	Emergency Planning Coordinator	001
8259	Criminalist I	001
8263	Crime Lab Mgr	001

8282	Sr Environ Control Off	001
8446	Court Alternative Specialist 1	001
9914	Public Service Aide-Admin	001
9916	Public Svc Aide-Public Works	001
9920	Publ Svc Aide-Asst to Prof	001
9922	PS Aide to Prof	001
AA56	Parking Citation Hearing Ofc	001
AB27	Sctry, Comm on the Environment	001
AC24	Secretary to Port Commission	001
AC28	Chief Forensic Pathologist	001
AC34	Project Analyst	001
AC35	Bd/Comm Secretary 3	001
AC40	Asst Dir of Museum Security	001
0881	Mayoral Staff I	002
0882	Mayoral Staff II	002
0883	Mayoral Staff III	002
0884	Mayoral Staff IV	002
0885	Mayoral Staff V	002
0886	Mayoral Staff VI	002
0887	Mayoral Staff VII	002
0888	Mayoral Staff VIII	002
0889	Mayoral Staff IX	002
0890	Mayoral Staff X	002
0891	Mayoral Staff XI	002
0892	Mayoral Staff XII	002
1156	Director of Environment	002
1283	Dir Emp Relations Div	002
1293	Human Resources Director	002
1849	Prog Mgr, Bus & Econ Develop	002
2953	Chief Deputy Director, DHS	002
3234	Marina Manager	002
5508	Project Manager 4	002
5646	Environ Program Mgr I	002
8137	Chf Victim/Witness Invstgtor	002
9251	Public Relations Mgr	002
A006	Parking Bureau Chief	002
AB44	Cfdntal Chf Atty 2,(Cvl&Crmnl)	002
AC27	Dir. of Airfield Development	002
AC30	Dir of Museum Security Svcs	002
AC33	Ethics Comm Executive Director	002
AC36	Deputy Director Admin Svcs	002
AC37	Principal Area Manager	002
AC38	Assistant Superintendent, Rec	002
AC39	Manager, Marina Operations	002

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR No. 10-03

Date February 25, 2003

To: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

From: Andrea R. Gourdine, Human Resources Director

Subject: Department of Human Resources Web Page – Searchable Database

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I am very pleased to announce that the Department of Human Resources has launched an automated Classification, Compensation, and Collective Bargaining Agreement Information database on the DHR website.

This searchable database allows you to simply enter a job code and/or job title and click "find" to view job classification specifications, compensation information, and current collective bargaining agreements. The search function also allows you to enter key words such as "accountant" in the Job Title field to view a list of job titles including your keyword.

Search the Classification, Compensation and Collective Bargaining Agreement Database:

By Class Number (?)
By Job Title
By Annual Salary ---------Select---------
FLSA Exempt (?) ---------Select---------
5th Step Entry (?) ---------Select---------
Union (?) ---------Select---------

Find

To access this automated database, please visit the DHR website located at: http://www.sfgov.org/dhr.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR NO. 11-03

DATE: March 17, 2003

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Family Medical Leave Act Semi-Annual Summary**

The Department of Labor requires employers to maintain Family Medical Leave Act (FMLA) records in accordance with the record keeping requirements of Section 11 (c) of the Fair Labor Standards Act (FLSA).

Each department is required to complete and submit to DHR's Internal Services Unit the FMLA Semi-Annual Summary in April and October of each year. Upon receipt of these summaries, DHR will compile the citywide statistics required by the Department of Labor.

The FMLA Semi-Annual Summary for the period October 1, 2002 - March 31, 2003 is due on Friday, April 18, 2003. Attached is a copy of the Semi-Annual Summary form. Please mail or FAX the completed summary to DHR's Internal Services Unit, 44 Gough Street (Department #33), FAX number 557-4868.

This memo and the Semi-Annual Summary form were also sent by e-mail to each department's FMLA coordinator.

If there are questions regarding the form, instructions, or procedures, please contact the DHR Internal Services analyst for your department: Gilda Cassanego at 557-4859, Jose Lebron at 557-4856, or Emily Morrison at 557-4951.

Thank you for your cooperation.

Attachment

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DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 13 - 03

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Date: April 11, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENTS - INITIAL ASSIGNMENTS**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignments are hereby determined as indicated below. These assignments are effective ***April 26, 2003***.

Job Code	Unit Assignment	Certified Representative
1156 Director of Environment	EM	S. F. Municipal Executives' Assoc. (MEA) (EGC: 351)
5638 Environmental Assistant	8 - M	Intl. Fed. of Prof & Tech. Engineers, Local 21 (EGC:021)
5640 Environmental Specialist	8 - M	" " " " " " "
5642 Senior Environmental Specialist	8 - M	" " " " " " "

By copy of this memorandum it is requested that departments with employees in the affected job codes notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA. 94102. Such requests are to be received no later than twenty (20) calendar days

(over)

from the date of this notice. Please contact Kate Favetti at 252-3250 to request the required form if you wish to file a protest regarding the unit assignments set forth above. If you have questions regarding these assignments, please contact Janet Rogers at 557-4915.

In general, provisions of the collective bargaining agreement with the employee organizations listed above will apply prospectively to employees in the assigned job codes from the effective date of the assignments.

cc: Kate Favetti, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Pat Pon, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 13 - 03

DOCUMENTS DEPT
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Date: April 11, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

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(over)

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Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 14-03

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DATE: May 2, 2003

TO: Appointing Officers
Departmental Personnel Officers
Finance Managers
Payroll & Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: DHR's Benefits Administration & Financial System

On March 6, 2003, the San Francisco Department of Human Resources put the ***Benefits Administration & Financial System*** (BAFS) into production, which replaced a 20-year old, inadequate legacy system. The BAFS supports the administration of health, dental and other health service system programs for employees and retirees, their dependents, survivors, and domestic partners of the City and County, Municipal Transit Authority, Community College District, Unified School District, and the State Courts located in San Francisco. It is extremely complex, requiring interfaces with four different retirement systems, multiple client organizations, central payroll (mainframe), as well as HMO's and vendors of the City's self-administered indemnity plan.

The BAFS handles approximately 115,000 lives and benefit-related transactions valued at $380,000,000 annually. The implementation was a significant achievement for DHR. It extends the functionality of the PeopleSoft ***Human Resources Management System*** that originally went into production in July 1999. The PeopleSoft HRMS and BAFS serve approximately 500 end-users and will be a cornerstone enterprise application for many years.

The implementation of this system required adjustments to our business practices for hiring new employees. As a reminder, please review the Appointment Processing Procedures in DHR Memorandum # 04-03. (To obtain a copy of DHR Memo #04-03, contact Ana Zambrana at 557-4843). ***Please do not send any new employee to Health Service System (HSS) to enroll for benefits until you have checked the HRMS for an AP number. If the new hire is not recorded in the HRMS, s/he will not be able to enroll for benefits. HSS will send the person back to your department and ask them to return when their appointment is in the system.***

The business practice of tracking employees on unpaid leave status (LOA), for more than five consecutive days, is critical to the continuation of benefits when the employee is not receiving a paycheck and to the recovery of employee and city match premiums/costs. Please ensure that your staff is entering the appropriate Leave Codes in a timely manner, and that Return from Leave (RFL) is entered upon the employee's return to work. The BAFS is programmed to apply the applicable number of weeks of benefit coverage to an employee; thereafter, the employee is set up for billing of the health costs. When a LOA is not properly recorded, employees will receive delinquency notices and will be advised that if they are on LOA they should follow up with their department regarding having their LOA recorded in HRMS.

Impact of failure to follow these procedures ranges from inconvenience to employees who may need to make additional visits to HSS, unnecessary notification of delinquency for those on leave, possible cessation of benefits, and double payment by your department for the city share of benefits if the employee is not Returned From Leave (RFL).

As we complete the financial functions required to support the new system, financial business practices must also change. Financial processing has moved to a near "real time" processing mode with BAFS and, therefore, lags in financial transactions will affect timely payment to HMOs and other benefit vendors. It is important that journal entries for the City share of benefit costs must be approved at the department level on a timely basis.

In the near term, most departments will experience no change in the benefit charging process. However, beginning with March 2003 benefit charges, which are processed at the end of April 2003, direct charges for continuing benefits for employees on leave of absence, some MOU costs, and the retiree subsidy will be charged against a single index code per department. We will advise departments of important changes as new practices are implemented.

For questions or other information, you may contact the following persons:

Appointment Processing Status: Linda Cosico, 557-4817 or Referral clerks.

Leave Tracking: Gilda Cassanego, 557-4859 or
Emily Morrison, 557-4951

Thank you for your participation in this cooperative effort to further enhance our automated systems.

cc: Mayor's Office
Board of Supervisors

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 18-03

DATE: July 10, 2003

TO: Appointing Officer
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Military Leave Extension FY 2003-04

On December 5, 2002, the Mayor signed Ordinance #231-02 which was adopted by the Board of Supervisors on November 25, 2002. The Ordinance amended the Annual Salary Ordinance (ASO) to provide compensation during the time period December 5, 2002 to June 30, 2003 for a total of days not to exceed 180 calendar days for employees called to active military duty in response to the September 11, 2001 terrorist attacks. The Ordinance supplements pay and gives benefits to eligible employees in accordance with Charter Section A8.400(h).

The Mayor submitted language in the 2003-04 ASO for adoption by the Board of Supervisors to extend the Military Leave Provision. Should the Board of Supervisors adopt the extension language in the ASO, the same provisions of the Military Leave Ordinance will be in effect. The extension of military leave is to ensure that a qualifying employee remains eligible in FY 2003-04 for the compensation supplementation. It is important to note that the employees' entitlement to this compensation supplementation for military leave cannot exceed 180 calendar days regardless of fiscal years. Upon the Board of Supervisors; adoption of the ASO, a follow-up memorandum will be sent.

Please refer to the attached DHR Memorandum No. 06-03 for additional details.

TY:AZ

Attachment

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 06 - 03

DATE: January 31, 2003

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: ORDINANCE # 231-02 - MILITARY LEAVE

On December 5, 2002, the Mayor signed Ordinance #231-02 which was adopted by the Board of Supervisors on November 25, 2002. This Ordinance amends the Annual Salary Ordinance to provide compensation during the time period December 5, 2002 to June 30, 2003 for a total of days not to exceed 180 calendar days for employees called to active military duty in response to the September 11, 2001 terrorist attacks. This Ordinance supplements pay and gives benefits to eligible employees in accordance with Charter Section A8.400(h). The Ordinance is effective December 5, 2002 and shall remain in effect through June 30, 2003. Employees are eligible for a total of days not to exceed 180 calendar days.

This memorandum provides information about this Ordinance and related military leave and pay issues. This Ordinance contains the same provisions as the previous Ordinance #222-01 which was reviewed in the Department of Human Resources' (DHR) Memorandum DHR No. 33-01 dated December 3, 2001. In addition, DHR's Memorandum DHR No. 22-01 dated October 25, 2001 addressed standard military leave policies and procedures.

HIGHLIGHTS OF THE ORDINANCE

Eligibility Criteria:

The employee must have been called to active service:

(1) on or after September 11, 2001,
(2) for a period greater than 30 consecutive days, and
(3) in response to September 11th, 2001, terrorist attacks in New York City, Washington, D.C., and Pennsylvania or related extraordinary circumstances.

Salary and Benefits During the First 30 Days:

During the first thirty (30) days of continuous active military duty, an employee eligible under either the Civil Service Rules or the Military and Veterans Code will receive full salary and benefits in addition to his/her military pay. An employee not eligible under either the Civil Service Rules or Military and Veterans Code to receive full salary and benefits for the first thirty (30) calendar days must use accrued time, i.e. floating holiday, in-lieu holiday or compensatory time off; or take the first thirty (30) calendar days as unpaid leave.

Benefits After the First 30 Days:

In addition to any benefits received during an employee's first thirty (30) days of active duty, beginning on the 31st day for a total of days not to exceed 180 calendar days, and until the expiration of the Ordinance on June 30, 2003, the employee will:

- receive the difference between the amount of the employee's gross military pay and the amount of the gross pay the employee would have received if the employee worked his/her normal work schedule, and
- continue to receive all benefits, including Retirement and Health Service, as if the employee had worked.

Exclusion:

The Ordinance does not apply to an employee who volunteers to serve on active duty beyond the time that the employee is ordered to active service.

TYPES OF LEAVES

California Military and Veterans Code Section 395 defines two (2) types of leave related to an employee's military duty:

- "temporary military leave" for a scheduled time period, less than 180 calendar days (usually 2 - 4 weeks), and
- "other than temporary military leave" which exceeding 180 calendar days.

Before processing a request for military leave, the department must determine the length of the tour of duty for the employee's military leave and the reason for the leave. To be eligible for the provisions of the Ordinance, an employee must have been called to active duty:

(1) with a military reserve organization for a period greater than thirty (30) consecutive days. (The Ordinance becomes effective on the 31st day).

(2) in response to the September 11th, 2001 terrorist attacks in New York City, Washington, D.C., and Pennsylvania or related extraordinary circumstances.

Exclusion:

The Ordinance does not apply to employees on scheduled training, drills, unit training assemblies or similar events.

FORMS TO BE COMPLETED

- Request for Leave form (DHR 7-20) with active duty orders and Separation Report form (DHR 1-67)
- Military Pay Worksheet
- Acknowledgement Form
- Power of Attorney form (An optional form that is not provided by the City).

Request for Leave Form (DHR 7-20):

The employee submits a completed Request for Leave form (DHR 7-20) for military leave and attaches copies of his/her official orders to report for active duty. The department can accept a copy of an "electronic order" which is a computerized form and will not have the military Commanding Officer's signature. Orders usually state that the employee's military status has changed from inactive to active, and direct the employee to report on a specific date and time to a particular location for military purposes. In the event that the military gives the employee short notice, e.g. 24-hours, to report for active duty, he/she must mail or fax the military orders to the department's Human Resources office as soon as possible. The department's Human Resources office prepares the Separation Report and types in the effective date of the orders as the start date, and the end date. If there is no end date specified, then type in "indefinite" as the end date. The department signs Section III of the Request for Leave form.

After verifying that the employee is eligible for military leave, the department's Human Resources office forwards a copy of the employee's Request for Leave form and copies of the official orders to the department's Payroll office. The Payroll staff processes the appropriate payment of salary. Payroll can only process the employee's military leave pay if there is a copy of the official orders.

The department also distributes the Separation Report, copies of the Request for Leave and copies of the orders to: Jonathan Nelly at the Internal Services Unit, Department of Human Resources; Yuvetta Pryor at Health Service System; and Maria Newport at Retirement System.

The period of the leave shall not exceed three (3) months after the conclusion of this service, but not later than one (1) year after the cessation of hostilities. The exception is in the case of a disability incurred while in active military service when such disability extends beyond such period. (CSC Rule 120.25.3)

Upon return from the military leave, the employee must submit a copy of the discharge and release papers. (CSC Rule 120.25.6)

Military Pay Worksheet:

The Military Pay Worksheet documents information about the employee's current City pay and the employee's military pay (actual if available or estimated). The department calculates the City pay by using the gross amounts paid in the two (2) pay periods prior to the employee's leave. If the employee was on paid leave (e.g., vacation, sick, compensatory time) for more than one (1) day during those two (2) pay periods, then the department will use the gross amount paid in the most recent pay periods during which the employee worked a regular schedule. A regular schedule includes premiums, special pay, and normal or scheduled overtime.

The department's Payroll staff and the employee complete and sign the Military Pay Worksheet form. The form is attached to this memo.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

Acknowledgment Form:

Per Charter Section A8.400(h), an employee receiving salary and benefits under the Ordinance must execute an agreement stating that the compensation (pay and benefits) received under the Ordinance will be treated as a loan if the employee:

(1) does not return to City service within 60 days of release from active duty, or

(2) if not fit for employment when released from active duty. then within 60 days of a determination that the employee is fit for employment,

Also in accordance with the Charter, the loan will:

(1) have an interest rate equal to the greater of the:

(i) rate received for the concurrent period by the Treasurer's Pooled Cash Account, or

(ii) minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute.

(2) be payable in equal monthly installments over a period not to exceed five (5) years, commencing 90 days after the employee's release from active service or return to fitness for employment.

The employee must sign and date the Acknowledgement form. The form is attached to this memo.

Power of Attorney Form (not provided by the City):

An employee who is or will be on military leave is encouraged to designate a Power of Attorney. The employee completes a Power of Attorney form stating that he/she is giving a designated person permission to carry out transactions in his/her behalf while he/she is on military leave. For example, the person that is designated as Power of Attorney can sign a Request for Leave form or deposit a paycheck for the employee. The form is usually notarized. It is the employee's responsibility to obtain and complete a Power of Attorney form, and provide a copy to the departmental Human Resource office. The City will not provide this form.

SALARY WHILE ON MILITARY LEAVE UNDER THE ORDINANCE

Under the Ordinance, an employee called to active duty for a period greater than thirty (30) consecutive days is eligible for the provisions of Ordinance on the 31st day of military service.

Determining Eligibility for Pay during the First 30 days:

The department's Human Resources office determines if the employee is eligible for salary (military leave pay) for the first 30 calendar days of military leave.

Temporary Military Leave (does not exceed 180 calendar days)

Eligibility for the thirty (30) calendar days salary is based on the:

- employee's start work date for continuous employment with City or any other public agency (including the military), and
- length of the tour of duty stated on the initial military orders.

An employee is eligible for the thirty (30) calendar days of salary if:

- he/she has been employed by the City or any other public agency (including the military) for at least one (1) year continuously prior to the start date of the temporary military leave, and
- the employee's initial military orders state that the tour of duty is for temporary military leave (does not exceed 180 calendar days).

Public agencies include the state, a county, city and county, city, municipal corporation, school, irrigation, or water district. (California Military and Veterans Code Section 389 c).

Example: During the past year, a current City employee who worked for San Mateo County for seven (7) months and has five (5) months of service with the City, would be eligible for the thirty (30) calendar days of salary if the military leave request does not exceed 180 calendar days. (CSC Rule 120.25.7)

Military Leave that Exceeds 180 Calendar Days

If the employee's initial military orders state that the tour of duty is more than 180 calendar days and the employee has been employed by the City for at least one (1) year continuously prior to the start date of the military leave, then he/she receives the thirty (30) calendar days salary from the City. (California Military and Veterans' Code Section 395.02). For this category, employment with other agencies or the military does not satisfy the one (1) year City employment requirement.

Note: Before denying an employee pay for the first thirty (30) calendar days of military leave, contact your department's Internal Services analyst.

Paying Salary during the First 30 Days:

An eligible employee will receive his/her regular salary or compensation for a period (1) not to exceed thirty (30) calendar days of military leave in any fiscal year or (2) not more than thirty (30) calendar days during any period of continuous military leave. This salary is in addition to the pay that the employee receives from the military service while on active duty.

After verifying that the employee is eligible for military leave pay (30 calendar days of salary), the department's Human Resources offices forwards a copy of the employee's Request for Leave form and copies of the official orders to the department's Payroll office. The Payroll staff processes the payment of salary. Payroll staff can only process the employee's military leave pay if there is a copy of the official orders. Each department is responsible for ensuring that military leave pay does not exceed the allowable thirty (30) calendar days under CSC Rule 120.25.7 and California Military and Veterans' Code Section 395.02.

Paying Salary on and after the 31st Consecutive Day of Active Duty:

After the first thirty (30) calendar days of active service an employee is eligible for the provisions of the Ordinance. The Ordinance provides that on the 31st consecutive day of active service for a total of days not to exceed 180 calendar days, and until the expiration of the Ordinance on June 30, 2003, the employee is eligible to receive the difference between the amount of the employee's gross military pay and the amount of gross pay the employee would have received if he/she had worked his/her normal work schedule.

The employee and the departmental payroll staff complete a Military Pay Worksheet to document information about the employee's current City pay and the employee's military pay (actual if available or estimated). The City pay is calculated by using the gross amounts paid in the two (2) pay periods prior to the employee's leave. If the employee was on paid leave (e.g., vacation, sick, compensatory time) for more than one (1) day during those two (2) pay periods, then use the most recent pay periods during which the employee worked a regular schedule. A regular schedule includes premiums or special pay, and normal or scheduled overtime.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

Note: If an employee has already received his/her first thirty (30) calendar day entitlement and the employee meets the criteria of the Ordinance, then the employee is eligible on December 5, 2002 (the effective day of the Ordinance) to receive the difference between the amount of the employee's gross military pay and the gross pay the employee would have received if the employee worked his/her normal work schedule. The employee is eligible for a total of days not to exceed 180 calendar days.

Payroll Codes:

The code MP = Military Leave Pay is used to pay an eligible employee for the work hours that occur during the first thirty (30) calendar days of a military leave. The employee will receive his/her military pay and the City pay during this time.

If an employee is not eligible for the first thirty (30) calendar day entitlement, the employee must take the first thirty (30) calendar days as unpaid or use accrued time, i.e. floating holiday, in-lieu holiday, or compensatory time off. Any unpaid time is marked ML = Military Leave Without Pay. Note: An employee who does not qualify for the 30 calendar day entitlement and has less than one (1) year service with the City will not be able to take vacation because the employee would not have completed one (1) year of City service. The employee will be eligible for the provisions of the Ordinance on 31st day of consecutive active service. The provisions are the difference between gross military pay and gross City pay, and benefits.

PPSD will issue a bulletin to advise departments on how to process the payroll for an employee who is covered by the provisions of this Ordinance.

BENEFITS

The Ordinance allows an employee to receive all benefits to which the employee would have been entitled to had the employee not been called to active duty, except as limited under State law or the City Charter.

Accrual of Vacation and Sick Leave:

An employee who is eligible to receive thirty (30) calendar days of military leave pay will also accrue sick leave and vacation during that time period.

If the employee is not eligible for the thirty (30) calendar days of salary (or a part of the thirty (30) calendar days of salary), the employee:

(1) may request and his/her supervisor approve the request for additional paid time off, specifically, compensatory time, floating holiday, and/or in-lieu holiday. The employee will be accruing sick leave and vacation while using this accrued time off. and/or

(2) will be marked as unpaid time (ML = Military Leave Without Pay) for days that are not paid and the employee will not be accruing sick leave and vacation during this unpaid time.

On the 31st consecutive day of service, the employee will be eligible for the provisions of the Ordinance and will accrue sick leave and vacation.

Health Service System:

An employee and his/her family qualify for health coverage from the Federal Government while on active duty. In addition, while the employee is on military leave and the Ordinance is in effect, the City will continue to make contributions on behalf of an employee previously enrolled in a health plan with the City and County Health Service System. The employee and his/her dependents can elect to continue to be covered as long as the employee pays for any required employee contribution. An employee's contribution is usually a payroll deduction.

An employee may also elect to be exempt from health plan coverage during their military leave. If the employee chooses to be exempt while on military leave, he/she must complete an Application for Exemption with the Health Service System prior to reporting to duty. An employee who elects to be exempt from health coverage during military leave must contact the Health Service System immediately upon return to work to reinstate coverage.

An employee may contact or visit the Health Service System office at 1145 Market Street, 2nd floor, (415) 554-1761, Monday - Friday, 8:00 a.m. to 4:45 p.m.

Retirement:

The employee will receive retirement service credit consistent with Charter Section A8.520. The City will continue to pay the full employee contributions required by the Charter and under the employee's collective bargaining agreement / memorandum of understanding. While on military leave, the employee will receive credit for service for the purpose of computing the benefit (pension) to which he/she is entitled. An employee who has questions regarding employee contributions, updating beneficiary and/or mailing address is encouraged to contact the Retirement System office. An employee may contact or visit the Retirement System office at 30 Van Ness Avenue, Suite 3000, (415) 487-7030, Monday - Friday, 8:00 a.m. - 5:00 p.m..

Public Employees Retirement System (PERS):

An employee who has his/her retirement plan administered by Public Employees Retirement System (PERS) may contact PERS at (415) 369-8500 for information about benefits.

MASTER LIST OF CITY EMPLOYEES ON MILITARY LEAVE

Send Separation Reports, copies of the Request for Leave form and official orders for military leave to Jonathan Nelly in the Internal Services Unit, DHR, at (415) 557-4829. The Unit will maintain a master list of City employees on military leave.

OTHER ISSUES

Entitlements for Permanent (PCS) Employees:

Any officer or employee on military leave, who was appointed to a permanent position prior to the start of the military leave, will be entitled to resume such position at the expiration of the leave. The employee will also be granted rights, seniority, salary, and otherwise that were accrued during the leave. For example, if the employee's salary step increase is scheduled to occur during the time the employee is on leave, the department processes the increment and pays the employee at that step as if the employee was working. In addition, the period of the military leave shall be considered and accounted as part of the employee's City service. (CSC Rule 120.25.5)

Entitlements for Non-Permanent (PCS) Employees:

For the duration of his/her appointment, a provisional, exempt, or temporary employee will be granted rights, seniority, salary, and otherwise that would have been accrued if the employee had been working. If an employee's appointment expires prior to his/her return to work, then departments must review each case individually to determine what options are available to the employee according to applicable CSC Rules, and DHR policies and procedures.

Status while on Military Leave:

An employee on military leave has the same employment status as any other employee on an authorized leave of absence.

Probationary Period:

If an employee is called to active duty while serving a probationary period, the employee's probationary period will be extended for time off for the military leave (CSC Rule 117.2.2). The department must notify the employee that the probationary period will be extended.

Candidates in an Examination Process:

In order to maintain examination rights, before leaving for his/her tour of duty, an employee on military leave should contact the exam analyst responsible for the examination if he/she is a candidate in a civil service examination. If the employee does not know the name and/or phone number of the exam analyst, he/she may call (415) 557-4800 to find out the name and/or phone number of the exam analyst. In addition, the Internal Services Unit will provide the list of all employees on military leave to Merit System Services and the Decentralized Examination Units.

CSC Rule 120.25.11 addresses participants in written examinations.

Eligibles on a Certification / Referral:

Once notified by the department's Human Resource office, the Internal Services Unit, DHR, will compile a list of all employees on military leave and provide this list to the DHR Referral Unit. If an employee is an eligible on a civil service list, he/she does not need to contact DHR. The Referral Unit will check referrals against the list for names of employees on military leave. For specific information about an employee who is an eligible on a civil service list while on military leave, contact the DHR Referral Unit.

CSC Rule 120.25.9 addresses eligibles not reached for certification (referral) while in the service at the time of war. CSC Rule 120.25.10 addresses eligibles reached for certification (referral) while in the military service.

Language in the Local 21 MOU and the CBA for SEIU Locals 250, 535, and 790:

The Local 21 MOU and the CBA for Locals 250, 535, and 790 have provisions for military leave. The provisions are identical to the CSC Rule 120, Article VII: Military, War Effort and Sea Duty Leave. The military leave provisions in the Local 21 (2001 - 2003) MOU are located in the Appendix D Glossary on pages 3 and 4, and SEIU's (2000 - 2003) CBA provisions are on pages 81 and 82.

Replacement of Employees on Military Leave:

The employee's position may be backfilled according to the Charter, CSC Rules, and DHR policies and procedures.

Updating Personal Information:

The department's Human Resources office may remind each employee to update personal information such as home address, telephone number, emergency contact information, warrant designation form, retirement, deferred compensation beneficiaries, and other documents related to personal insurance.

Military Benefits and/or Entitlements:

An employee requesting information about military benefits and/or entitlements must contact the military personnel offices. Information about mortgages and other personal financial matters is available at www.HUD.gov.

Questions:

Please contact your department's Internal Services analyst for more information.

MILITARY LEAVE WORKSHEET

This worksheet should be completed by the employee and the employing department. A copy of the employee's Military Orders and completed leave form must be attached. The dates on the Request for Leave form must be the same as the dates on the Military Order.

I. *Employee completes this section.*

Print Name*(last, first)*	Job Class Number and Title	Social Security No.

Home Address	City, State, Zip Code	Home Phone No.

Department No., Name, and Bureau/Division	Dates of Military Leave
	Start:
	End:

Emergency Contact Person for more information	Relationship

Home Address	City, State, Zip Code	Phone No.

II. Pay Information

1. *Employees pay and benefits calculation*

The following City pay information should correspond to the gross amounts paid in the two pay periods prior to the employee's leave. If the employee was on paid leave (i.e., vacation, sick, compensatory time) for more than one day during those periods, use the most recent pay periods during which the employee worked a regular schedule. If the two pay periods result in different amounts of a minor difference, calculate the average.

*1.1. This section to be completed by **Department's payroll contact.***

a. Biweekly Gross Pay	$
b. Premiums or Special Pay	$
c. Normal or Scheduled Overtime	$
d. Total Gross City Pay	$

*1.2. This section to be completed by **employee.** If the employee is unable to complete this section, contact Internal Services at 415-557-4829.*

e. Military Gross Pay *(estimate if unknown)* Is this amount an ___ estimate or ___ actual as shown in a military document *(Please check one)*	
f. Military Pay Allowances *(please describe, e.g., combat, clothing, housing, submarine, aviation)*	
g. Total Military Gross Pay	

EMPLOYEE'S NAME (LAST, FIRST)	EMPLOYEE'S SOCIAL SECURITY NO.

The difference between your normal City gross pay and your Military gross pay is the gross amount for which you will be paid for up to 180 calendar days during the life of the ordinance while you are on active military service. Deductions will be made for the applicable taxes, Medicare, Social Security, and any other appropriate charges (e.g. dependent health, retirement buyback, union dues, garnishments).

III. Pay Disposition *(Employee completes this section.)*

1. If you have direct deposit, do you wish to continue? Please circle one: YES or NO IF "NO", complete forms provided by your Department's payroll contact.	
2. If you do not have or discontinue direct deposit, please list the name and address of the person to whom you want your paycheck mailed.	
Print Name	Phone Number
Home Address	City, State, Zip Code

IV Signatures

Employee's Signature _____ Date _____

Department-Authorized Representative's Signature _____ Date _____

Print Name of Department-Authorized Representative _____ Phone Number _____

FOR OFFICIAL USE ONLY (This section is to be completed by Department's payroll contact.)	
Military Pay Amount:	
Total Gross City Pay minus Military Pay equals:	
Start Date of Deductions:	

cc: Dept. of Human Resources/Internal Services
Payroll & Personnel Services Division (PPSD)
Health Service System
Employee's Personnel File

(Print Name) (Social Security #)

(Home Address, City, Zip Code)

(Dept. # and Dept. Name)

ACKNOWLEDGEMENT

I understand that under the San Francisco City Charter, Section A8.400(h), I am responsible for repaying with interest all supplemental pay and the pecuniary value of any benefits ("Compensation") described in Sections (b) (1) through (b) (3) of the Military Pay Ordinance which I receive from the City while on military leave if I do not return to City employment within:

(a) 60 days of my release from active duty; or
(b) within 60 days of a determination that I am fit to return to City employment.

I understand that interest paid shall be calculated at a rate equal to the greater of the rate received for the concurrent period by:

(a) the Treasurer's Pooled Cash Account, or
(b) the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute.

I understand that I will be responsible for repaying Compensation received in equal monthly installments over a period not to exceed 5 years, and commencing:

(a) 90 days after my release from active service, or
(b) 90 days after I am determined to be fit to return to City employment, as the case may be.

I understand that I shall not be paid any of my retirement accumulations or credits until repayment has been made and that the City may take such action as may be necessary to effect full recovery of any unpaid amount.

(Employee 's Signature) (Date)

cc: Maria Newport, Retirement
Pamela Levin, Controller

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 19 – 03

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Date: July 11, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT REASSIGNMENTS**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the job codes listed below are being reassigned to new bargaining units. Previously these job codes were represented by United Public Employees, Local 790, SEIU. Their new representation and bargaining units are indicated below. The reassignments are effective ***July 19, 2003***.

Job Code	Unit Assignment	Certified Representative
7108 Heavy Equipment Operations Assistant Supervisor	1 – R	Operating Engineers, Local 3 (EGC:003)
7208 Heavy Equipment Operations Supv.	1 – R	" " " " " "
9250 Airport Maintenance Supervisor	M	Municipal Executives' Assoc. (MEA) (EGC:351)

By copy of this memorandum it is requested that departments with employees in the affected job codes notify such employees of the representation and bargaining unit reassignments and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> *"In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."*

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, Ca. 94102. Such requests are to

- over -

be received no later than 20 calendar days from the date of this notice. Please contact Kate Favetti at 252-3250 to request the required form if you wish to file a protest regarding the unit reassignments set forth above. If you have questions regarding the reassignments, please contact Janet Rogers at 557-4915.

cc: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Pat Pon, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR NO. 20-03

Date: July 23, 2003

To: Appointing Officers
Personnel Officers

From: Andrea R. Gourdine
Human Resources Director

Subject: Municipal Executives Association (MEA) Pay for Performance Programmatic Changes

This memo is in response to inquiries from several departments concerning this year's MEA (Municipal Executives Association) Pay for Performance Program.

First, the program is continuing. The procedures that you followed in the past year should continue. This ongoing program includes

- Establishment of annual goals and objectives (work plans)
- Evaluation of progress toward goal achievement; mid year evaluation meetings
- Final evaluation of performance goals achievement

The major program feature that changed for FY 2003/04 involves the performance incentive payment process. Previously participants were eligible for an incentive payment ranging from 0 to 3% of their salary in the prior year. This year all participants will receive a 2% payment. In prior years the bonus was paid in October. This year the bonus is paid biweekly throughout the fiscal year.

The MEA contract allows for a second year re-opener. It is likely that the level and method of payment for the Pay for Performance program will be discussed during the re-opener negotiations. Program participants and administrators will be advised of any changes in the program and payment structure at the earliest opportunity.

If you have any questions, please contact Janet Bosnich (557-4920).

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 21-03

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DATE: August 4, 2003

TO: All Appointing Officers
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director Andrea R. Gourdine

SUBJECT: Paid Parental Leave Policy and Procedures

As you are aware, the City and County of San Francisco voters adopted Proposition I, Paid Parental Leave Charter Amendment in November 2002. The Department of Human Resources (DHR) was charged with the development and implementation of procedures necessary to administer, interpret, and regulate the provisions of the parental leave.

To that end, DHR and the City Attorney's Office have developed a comprehensive leave policy and procedures guide to implement the program citywide. Currently, Federal and state law mandate up to 12 weeks of unpaid leave for birth/adoption/foster care placements. In addition, state law provides up to 4 months "pregnancy disability," leave if the leave is medically certified. The Civil Service Rules further provide for unpaid discretionary family care leave for up to one year and 6 months of maternity leave. Many collective bargaining agreements provide for additional unpaid leaves.

Because the majority of these leaves are unpaid, many employees may not have the financial resources to take full advantage of these leaves. The City's new Paid Parental Leave Program provides for supplemental compensation (less any State Disability Insurance payments, state parental leave benefits, and all accrued paid leave) for up to 16 weeks[1] while an employee is on FMLA/CFRA/family care leave.

To ensure that the program is administered consistently, a copy of the program documents, including employee forms, are enclosed. Electronic copies of the forms are available through the DHR website located at www.sfgov.org.

Thank you for your prompt assistance with these important matters. For additional information, please contact Emily Morrison in the DHR, Human Resources Services Unit at 415-557-4951.

Enclosure

AG/TY:az

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[1] The 16 week maximum includes an additional four (4) weeks if the employee is disabled by pregnancy, childbirth, or related condition while on approved parental leave.

City and County of San Francisco
Department of Human Resources

PAID PARENTAL LEAVE POLICY AND PROCEDURES

On November 5, 2002, the voters approved an amendment to the City Charter providing for paid parental leave for City employees. This amendment provides compensation to supplement state disability insurance payments, paid sick leave, vacation, compensatory time and other forms of paid leave to ensure that an employee will receive the equivalent of the employee's salary for up to twelve weeks while on qualifying approved leave following the birth, adoption, or placement of a child with the employee's family for foster care. It provides for an additional four weeks of benefits for employees who take leave for temporary pregnancy disability. The amendment will go into effect on July 1, 2003.

This document provides information about the Paid Parental Leave amendment and sets forth the policies and procedures for its implementation.

I. Paid Parental Leave Coverage and Benefits

A. Existing Law

Under federal and state laws, employees are entitled to take an unpaid leave of absence for up to twelve weeks to care for a child after birth or placement for adoption or foster care. Beginning in January 2004, a new state program will provide employees with benefits similar to those paid under the existing State Disability Insurance (SDI) program during such leaves.

State law permits up to four months of additional leave in the event of pregnancy disability if the need for the leave is medically certified. This leave is also unpaid, but in most cases employees will be eligible for benefits under the State's SDI program. Under the City's Civil Service Rules, employees who meet certain criteria may take up to a year of unpaid leave for the above reasons, but the granting of this leave is discretionary.

B. Benefits Added by Paid Parental Leave Amendment

For an employee who meets the eligibility criteria, the Paid Parental Leave amendment will supplement the employee's accrued paid leave and any state benefit (under SDI or the state parental leave program), so that the employee will receive the equivalent of his or her full salary, for up to twelve weeks (or sixteen if the employee is disabled by pregnancy, childbirth, or a related condition) while on approved parental leave.

C. Eligibility

The Paid Parental Leave provisions apply to:

- Permanent, provisional, and exempt employees who (a) normally work at least twenty hours per week *and* (b) have completed six months of continuous service;
- Any other City employee (a) who has worked at least 1,040 hours in the twelve months prior to the leave *and* (b) whose average work week is at least twenty hours.

Continuous service is calculated from the date the employee was first appointed to City employment.

D. **Types of Parental Leave Covered**

1. **Family Medical Leave**
   Paid Parental Leave in this category will be provided for up to twelve weeks in any twelve month period for employees who take leave pursuant to the Family and Medical Leave Act (FMLA), the California Family Rights Act, or the Civil Service Commission Rules, for one of the following reasons:

   a. Birth of a child to the employee, the employee's spouse, or the employee's domestic partner;
   b. Placement of a child with the employee's family for adoption or foster care

   For the purpose of these provisions, "domestic partner" has the same meaning as set forth in Administrative Code section 62.1.

2. **Temporary Pregnancy Disability Leave**
   An additional four weeks of paid leave are available for employees who are unable to work due to pregnancy, childbirth, or related conditions. The need for Temporary Pregnancy Disability Leave must be certified by a health care provider. Temporary Disability Leave benefits are available only to the temporarily disabled employee herself, and not to spouses or domestic partners.

E. **Benefits**

1. **Salary**
   The amendment supplements accrued paid leave and state benefits to provide up to twelve weeks of the employee's full regular base wage (sixteen for temporary pregnancy disability).

For the purposes of this amendment, "regular base wage" shall mean the hourly rate of pay multiplied by the employee's standard hours, not including premiums or regularly scheduled overtime.

a. **Exhaustion of Accrued Paid Leave is Required**
Employees on approved Parental Leave must first exhaust all accrued paid leave (e.g. sick leave, vacation, compensatory time, administrative or executive leave, floating holidays) before receiving any supplemental compensation. If an employee chooses not to exhaust these leaves, the total amount of the benefit for which the employee would otherwise have been eligible will be reduced by the amount of paid leave accrued by the employee as of the start of the leave.

b. **Parental Leave Benefit Supplements Other Types of Benefits**
The amount of the supplemental compensation shall be reduced by any payment in lieu of compensation received by the employee from a federal, state or other local government agency while on Parental Leave (e.g. SDI, certain types of workers' compensation benefits).

An employee shall not receive supplemental compensation which would result in an employee receiving total compensation while on Parental Leave which is greater than the employee's regular base wage.

c. **Duration of Benefits**
Supplemental compensation shall be provided for no more than twelve weeks for employees on approved Family Medical leave or sixteen weeks for employees on Temporary Pregnancy Disability Leave. For employees eligible for both Family Medical Leave and Temporary Pregnancy Disability Leave, the supplemental compensation shall be provided for no more than sixteen weeks.

d. **Use of Accrued Paid Time in Previous Year**
The twelve or sixteen week period shall be reduced by any paid leave taken after the birth of a child to the employee, the employee's spouse, or the employee's domestic partner, placement of a child with the employee's family for adoption of foster care, or temporary pregnancy disability within twelve months prior to the commencement of Parental Leave.

2. **Health Benefits**
The City will continue to make contributions on behalf of an employee previously enrolled in a health plan with the City and County Health Service System during the period of Paid Parental Leave. The employee and his/her dependents will continue to be covered as long as the employee pays for any required employee contribution. Such contribution is usually a payroll deduction.

3. **Retirement**
Retirement contributions and service credit will accrue on a pro rata basis. That is, contributions required by the Charter and/or the applicable Memorandum of Understanding will be based on the amount of paid leave and supplemental salary the City actually pays during the period of Paid Parental Leave. Service credit will also accrue on a pro rata basis. An employee who has questions regarding retirement contributions or benefits is encouraged to contact the Retirement System Office at 30 Van Ness Avenue, Suite 3000, (415) 487-7030, Monday – Friday, 8:00 a.m. – 5:00 p.m.

4. **Accrual of Vacation and Sick Leave**
Vacation and sick leave will continue to accrue during the period of Paid Parental Leave.

5. **Seniority**
Paid Parental Leave shall not constitute a break in service for purposes of seniority. However, probationary periods may be extended based on criteria set forth in Civil Service Rules, City or departmental policies, and/or applicable Memoranda of Understanding.

6. **Statutory Holidays**
When an employee is not scheduled to work on a legal holiday that falls during an approved Paid Parental leave, that holiday is not counted as time used towards the total entitlement.

7. **Application of Attendance Policy**
Any leave taken by an employee which qualifies as Paid Parental Leave will not be counted in determining whether an employee has excessively used sick leave under that employee's department's attendance policy.

II. Procedures for Requesting Paid Parental Leave

A. Giving Notice to the City

In all but a small minority of cases, employees will have advanced notice of their need for parental leave. Existing city policy requires that, except in the case of emergencies, such leave must be requested in advance, with the employee giving at least thirty days' notice. In the rare case when the need for leave is not foreseeable, employees must notify the Appointing Officer as soon as is practical.

B. Required Forms

1. Employee Request for Family and Medical Leave Form

All employees wishing to receive Paid Parental Leave must complete an Employee Request for Family and Medical Leave Form (DHR FMLA 1A). Refer to section ID.1 Family Medical Leave for leave details.

2. Temporary Pregnancy Disability Leave

All employees wishing to receive Paid Parental leave as a result of a temporary disability due to pregnancy must complete a Request for Leave Form identifying Temporary Pregnancy Disability Leave. (DHR 7-20). Refer to section I D.2 Temporary Pregnancy Disability Leave for leave details.

3. Acknowledgement Form

If an employee voluntarily separates from City employment within six months of returning to work after a Paid Parental Leave, the amount of supplemental compensation received will be treated as a loan. All employees who receive compensation under the amendment must execute an agreement providing for repayment in the case of such voluntary separation. The loan shall be payable with interest at a rate equal to the greater of a) the rate received for the concurrent period by the Treasurer's Pooled Cash Accounts or, b) the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statute. Unless an alternative repayment schedule is agreed to by the City and the employee, the loan shall be payable in equal monthly installments over a period not to exceed five (5) years commencing thirty (30) days following the employee's separation from City employment.

4. Certification of Health Care Provider

Employees who need to take pregnancy disability leave are eligible for an additional four weeks of paid parental leave (up to a total of

sixteen weeks). In order to be eligible for temporary pregnancy disability leave and the attendant paid benefit, an employee must provide certification from her health care provider that she is temporarily unable to work due to her pregnancy, childbirth, or a related condition.

A health care provider is defined as a doctor of medicine authorized by the State of California to practice medicine or surgery (as appropriate).

Employees who are not seeking additional leave for temporary pregnancy disability do not need to submit Health Care Provider Forms.

IV. Contacts

For more information, contact the Department of Human Resources, Administrative Services staff.

V. Attachments:

1. Paid Parental Leave Acknowledgement Form
2. Employee Request for Family and Medical Leave (FMLA 1A)
3. Request for Leave (Pregnancy Disability Leave Form)
4. Paid Parental Leave Worksheet (optional use)

City and County of San Francisco
Department of Human Resources

PAID PARENTAL LEAVE – ACKNOWLEDGEMENT

Name: _____ ___ - ___ - ____
(Please print) (Social Security No.)

Address: _____ _____
(Street) (City, State ZIP)

Department: _____ _____
(Number) (Name)

Dates of Leave: _____ _____
(From) (Through)

If I voluntarily separate from City service:

- **prior to returning to work from a Paid Parental Leave; or**
- **within six months of returning to work after a Paid Parental Leave:**

1. I understand that under the San Francisco Charter, Section A8.365, I am responsible for repaying with interest all Paid Parental Leave supplemental pay and the pecuniary value of any benefits ("Compensation") as described in Section A8.365.5;

2. I understand that interest paid shall be calculated at a rate equal to the greater of the rate received for the concurrent period by:
   - the Treasurer's Pooled Cash Account; or
   - the minimum amount necessary to avoid imputed income under the Internal Revenue Code of 1986, as amended from time to time, and any successor statue;

3. I understand that I will be responsible for repaying Compensation received in equal monthly installments over a period not to exceed 5 years, and commencing 30 days following the my separation from City employment;

4. I understand that I shall not be paid any of my retirement accumulations or credits until repayment has been made and that the City may take such action as may be necessary to effect full recovery of any unpaid amount.

Signature: _____ **Date:** _____

Return this completed form with your Request for Family and Medical Leave form to your department's personnel representative.

cc: Retirement
DHR – HR Services Unit
Controller's Office

CITY AND COUNTY OF SAN FRANCISCO

FMLA 1A

EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE[1]

☐ New Request ☐ Request for Extension[2]

I am requesting Family and Medical Leave for the following reason (check one):

☐ A. The birth of the employee's child and to care for such child. _____ (date of birth)

☐ B. The placement with the employee of a child for adoption or foster care and to care for such child. (Attach documentation.)

☐ C. In order to care for an immediate family member because such family member has a serious health condition. (Submit "Certification of Health Care Provider" (FMLA 2) form within 15 calendar days.)

Circle one: CHILD SPOUSE/DOMESTIC PARTNER PARENT OTHER (explain)

_____

_____

☐ D. Employee's serious health condition that makes the employee unable to perform the functions of his/her job.[3] (Submit "Certification of Health Care Provider" (FMLA 2) form within 15 calendar days.)

If you checked one of the above, your request, if approved, will constitute Family Medical Leave and will be designated as such.[4] If you checked "D", the City will, as a condition of returning to work, require you to provide a medical certification of fitness to return to work. If you fail to submit the required certification, the City may refuse to return you to work until the certification is submitted.

Requested Dates: _____ (beginning date) through _____ (ending date).

_____ Employee Signature

_____ Date

_____ Employee Name (Print or Type)

_____ Social Security No.

_____ Employee Class Number and Title

_____ Dept. Name

cc: Personnel File

[1] Refers to both Federal and State Leaves under the Family Medical Leave Act and the California Family Rights Act.

[2] Requests for an extension of FMLA Leave must be submitted two business days prior to the end of the current scheduled FMLA Leave. Failure to submit timely may delay the granting of the FMLA Leave extension.

[3] The City will count a Workers' Compensation absence against your FMLA leave if you suffer an on-the-job injury or illness that qualifies as a serious health condition.

[4] Except for authorized Workers' Compensation leave or pregnancy disability leave, an employee who uses FMLA Leave concurrently must use accrued sick leave for time off. After sick leave has been exhausted, or if an employee cannot use sick leave because of caring for a spouse/domestic partner or parent, an employee must then use accrued vacation leave to cover the remaining FMLA leave, followed by the use of floating holidays.

RESPONSE TO YOUR REQUEST OF _____ (date) FOR FAMILY AND MEDICAL LEAVE[1]

☐ New Request ☐ Request for Extension[2]

EMPLOYEE NAME: _____ Date: _____

This is to inform you that:

1. ☐ You are eligible for leave under FMLA.

   ☐ You are not eligible for leave under FMLA. Reason: _____

2. Leave dates requested _____ through _____.

   ☐ Will be counted toward your FMLA entitlement.

   ☐ Will not be counted toward your FMLA entitlement.

3. You ☐ will/ ☐ will not be required to furnish medical certification (Certification of Health Care Provider form FMLA 2) of a serious health condition. If required, you must submit the form by _____ *(date)*
Note: Must submit within 15 calendar days after you are notified of this requirement or we may delay the commencement of your leave until the certification is submitted. We may also preliminarily designate your leave as FMLA Leave, subject to submission of the Certification of Health Care Provider (FMLA 2) form.

4. You may be requested to provide the City with a Certification of Health Care Provider (FMLA 2) form no more frequently than every thirty (30) days from the date you commence your leave as to your serious health condition or your family member's serious health condition.

Except as explained below, you have a right under the FMLA for up to 12 weeks (480 hours) of unpaid leave in a rolling 12-month period[3] for the reasons listed on the other side (FMLA 1A). Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work. Unless you have been designated as a "key employee", you must be reinstated to the same or an equivalent position with the same pay, benefits, and terms and conditions of employment on your return from leave. If you do not return to work following FMLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, you may be required to reimburse the City for its contribution of health insurance premiums paid on your behalf during the unpaid portion of your FMLA leave.

_____ _____

(Signature of Department Representative) *(Print Name)*

FOR OFFICE USE ONLY

Family and Medical Leave Expiration Notice: Leave ending _____ *(date)*

SENT: _____ _____

(two weeks prior to leave expiration) *(initials)*

cc: Personnel File

1 FMLA refers to both Federal and State leaves under the Family Medical Leave Act and the California Family Rights Act.
2 Requests for an extension of FMLA Leave must be submitted two business days prior to the end of the current scheduled FMLA Leave. Failure to submit timely may delay the granting of the FMLA Leave extension.
3 Each time you take FMLA leave, your remaining leave entitlement will be the balance of the 12 weeks you have not used during the immediately preceding 12 months. For example, if you took four weeks on 2/1/94, four weeks on 6/1/94 and four weeks on 12/1/94, you would not be entitled to any additional FMLA Leave until 2/1/95.

City and County of San Francisco

Request for Leave

(Do not use this form for requesting FMLA Leave.)

If you are requesting Leave under the **FAMILY AND MEDICAL LEAVE ACT**, obtain and complete FMLA 1A & 2. ☐ NEW ☐ RENEWAL

(Read reverse side for important information on leaves prior to completing form.)

SECTION I: Employee MUST Complete

Name_____ Social Security No. _____

Address _____ City, State Zip Code _____

Telephone No. _____ Employment Status: **Permanent** ☐ **Probationary** ☐ **Temporary** ☐ **Provisional** ☐ **Exempt** ☐

Type of Leave Requested: *(Check one below)*

☐ **Sick leave with pay** ☐ **Sick leave without pay**

☐ Check if you will be receiving State Disability Insurance and wish to supplement with Sick Leave, Vacation or Compensatory Time credits

☐ Check if you will be receiving State Disability Insurance and DO NOT wish to supplement with sick leave, vacation or compensatory time credits

☐ **Military Leave** *(copy of orders attached)*
☐ **Educational Leave**
☐ **Family Care Leave** *(for permanent employees only)*
☐ **Personal Leave** *(See Reverse Side) (Specify)* _____
☐ **To Accept Other City and County Employment**

Department: _____ Class No. & Title _____

☐ Other: *(Specify)* _____

Date of Leave: From : _____ Through : _____

Signature _____ Date _____

SECTION II - HEALTH CARE PROVIDER MUST COMPLETE **(For FMLA Leave, use Certification of Health Care Provider (FMLA2) form.)**

I, the undersigned health care provider, do hereby certify that the above-named employee is completely incapacitated for the performance of essential functions for the time period indicated below. In signing this form, I understand and agree to answer in a timely fashion the employer's reasonable questions as to the basis of the statements made on this form. I understand that my cooperation is necessary to secure the employer's approval of sick leave.

Date of leave: From _____ Through _____ Inclusive

Health Care Provider: (Print Name) _____ License No. _____

Address _____ City _____ State _____ Zip Code _____

Signature _____ Date _____ Telephone _____

RETURN TO PATIENT WHO IS RESPONSIBLE FOR FORWARDING TO THE EMPLOYER.

SECTION III - APPROVALS

PRINT NAME/TITLE	SIGNATURE	DATE	APPROVE	DISAPPROVE (ATTACH REASONS)
(Employee's Supervisor)				
(Personnel Officer/Designee)				
(Appointing Officer/Designee)				

READ REVERSE SIDE

Leaves of Absence - General Provisions

Leaves of absence are governed by the following general provisions: 1. Leave requests must be submitted to a department head or designee for approval; 2. A request for leave in excess of five (5) days must be approved in advance on the appropriate form by your supervisor, your department's Human Resources representative, and the Appointing Officer/Designee; 3. Employees who do not return to work when they are expected are absent without leave (AWOL) and may be subject to disciplinary action or automatic resignation; 4. Disapproval of certain types of Leave may be appealed either through the grievance procedure in your Collective Bargaining Agreement or the Civil Service Commission Rules. Consult with your Human Resource representative if you have a question or need more information.

Sick Leave. Sick leave requests for over 5 days must be certified by a licensed medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, Christian Scientist practitioner, licensed doctor of Chiropractic, or if this is a request under the FMLA, the health care providers that are identified in the FMLA.

Verification of sick leave for less than five (5) days may be required on an individual basis. It is your responsibility to notify your supervisor when you are unable to report for duty because of illness, and of the approximate date of your return to work. In cases of Sick Leave, the duration of leave requested by the employee in Section I of this form must be the same as the duration certified as necessary by the health care provider in Section II of this form.

SDI payments to an employee who has accumulated and is eligible to use sick leave with pay credits, vacation credits, or compensatory time off credits shall be supplemented with such credits so that the total of SDI and such credits, calculated in units of one hour provides up to, but does not exceed, the regular gross salary the employee would have received for the normal work schedule excluding overtime. An employee who wishes not to supplement must so indicate on the reverse side of this form within seven (7) calendar days following the first date of absence. Employees who are supplementing SDI earn sick leave with pay credits and vacation credits at the normal rate only for those hours of sick leave with pay credits used.

Except for Personal Leave and in those cases where the employee has obtained the prior approval of the appointing officer and the Human Resources Director, an employee may not accept employment outside of the City and County service, other than military service, while on leave of absence.

Family Care Leave. Unpaid Family Care Leave may be approved for up to one (1) year for permanent employees who have one (1) or more years of continuous service for the birth of the employee's child; the assumption of parenting or child rearing responsibilities; or the serious illness, health condition, mental or physical impairment of the employee's family member, domestic partner, child, parent or child for whom the employee has parenting responsibilities.

Military Leave. Military leave is governed by the provisions of applicable Federal and State laws, Charter provisions, and by the Civil Service Commission Commission Rules. Under certain conditions, an employee may be granted military leave. Certain employees on military leave may receive their regular compensation for a period not to exceed 30 days. A copy of official orders must be attached to the request for military leave.

Jury Duty Leave. Employees must notify their supervisor when a jury summons is received. Any employee who is called to jury duty for a Municipal, State or Federal Court during the employee's working hours is allowed their regular compensation less the amount of jury fees paid while serving as a juror. Employees called as a witness in a non-work related matter may be granted leave without pay, unless vacation leave or compensatory time is granted.

Educational Leave. Employees may be granted leave for the purpose of securing educational or vocational training in a field related to their current position. Educational leaves for permanent employees may be granted for up to one (1) year. Requests for longer leaves must be renewed yearly.

Religious Leave. Employees may be granted religious leave when personal religious beliefs require the abstention from work during certain periods of the work day or work week. Religious leave is without pay unless a request to utilize accumulated compensatory time off, vacation time, or floating holidays is approved.

Leave to Accept Other City and County Employment. Leave by an employee to accept temporary or exempt appointment in the City and County may be approved by a department head for the duration of such appointment.

Personal Leave. Unpaid personal leave may be approved for an employee. Personal leave may be approved for a period of up to twelve (12) months within any two (2) year period.

Family and Medical Leave (FMLA). You may be eligible under the FMLA to take unpaid leave for up to 12 work weeks for any of the following reasons:

- a serious health condition that makes you unable to perform the functions of your position;
- birth and care of your newborn child;
- placement of a child with you for adoption or foster care;
- care for your spouse/domestic partner, son, daughter, or parent with a serious health condition.

Serious Health Condition. A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either: any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical-care facility and any inpatient care; or continuing treatment by a health care provider which includes any period of incapacity.

You must have worked a minimum of 1250 hours during the last 12 month period. You are required to use paid time whenever appropriate, subject to the approval of the appointing officer or designee.

Leave Extension: An employee who wishes to extend a leave of absence must submit a completed REQUEST FOR LEAVE to his/her immediate supervisor or department's Human Resources representative at least two weeks before the expiration date of the current leave. If the request is for sick leave, the health care provider must complete Section II of the request.

Leave Abridgment: An employee who wishes to abridge a leave must submit an amended REQUEST FOR LEAVE before returning to work, and, if the employee was on sick leave, the health care provider must certify that the employee is physically able to return to work.

City and County of San Francisco
Department of Human Resources

PAID PARENTAL LEAVE – WORKSHEET

This worksheet should be completed by the employee and the employing department. A copy of the employee's FMLA or Leave Form(s) must be attached.

Name: _____ (Please print) _____ - _____ - _____ (Social Security No.)

Address: _____ (Street) _____ (City, State ZIP)

Department: _____ (Number) _____ (Name)

Dates of Leave: _____ (From) _____ (Through)

Please check one:

___ I will use the following accrued paid leave during my leave:

- ___ Vacation
- ___ Sick Leave
- ___ Comp Time
- ___ Floating Holidays
- ___ Administrative/Executive Leave
- ___ Other: Please describe

___ I will not use any accrued paid leave during my leave

IMPORTANT NOTE: Employees on approved Parental Leave must first exhaust all accrued paid leave (e.g. sick leave, vacation, compensatory time, administrative or executive leave, floating holidays) before receiving any supplemental compensation. If an employee chooses not to exhaust these leaves, the total amount of the benefit for which the employee would otherwise have been eligible will be reduced by the amount of paid leave accrued by the employee as of the start of the leave.

_____ Employee Signature

_____ Date

Part II: Department completes this section:

A. Employee Leave Information

Start Date of Leave		Line A1
End Date of Leave*		Line A2
Total Work Days of Leave (Based on employee's regular work schedule)		Line A3
Scheduled work hours per day**		Line A4
Total Work Hours:		Line A5

* Total Leave Period for Paid Parental Leave supplementation cannot exceed 12 weeks for FMLA and an additional 4 weeks for temporary pregnancy disability.

** If the employee is working on an approved alternative work schedule, please provide an average hours worked per day in a pay period.

B. Accrual balance known on the effective date of the employee's leave.

Type of Leave	Hours Available	
Vacation		Line B1
Sick Leave		Line B2
Comp Time		Line B3
Floating Holidays		Line B4
Admin/Executive		Line B5
Other:		Line B6
Total Leave Hours		Line B7

Paid Parental Leave Supplemental Pay Calculation Formula:

Insert figure from Line A5		Line 1
Insert figure from Line B7		Line 2
Subtract Line 2 from Line 1		Line 3

If line 3 is **less than zero (0)**, the employee does not qualify for paid parental leave supplementation. Please advise the employee that he/she is not eligible for paid parental leave supplementation.

If line 3 is **more than zero (0)**, proceed to the next step:

Insert figure from line 3		Line 4
Employee's base hourly rate	$	Line 5
Multiply line 4 by line 5	$	Line 6
Known SDI Supplemental Payment (applies only to employees who qualify for pregnancy disability leave)	$	Line 7
Subtract Line 7 from Line 6	$	Line 8

If line 8 is **less than zero (0)**, the employee does not qualify for paid parental leave supplementation. Please advise the employee that he/she is not eligible for paid parental leave supplementation.

If line 8 is **more than zero (0)**, proceed to the next step:

Insert figure from line 8	$	Line 9
Other known salary supplementation (i.e., Workers' Compensation)	$	Line 10
Subtract Line 10 from Line 9	$	Line 11

If line 11 is **less than zero (0)**, the employee does not qualify for paid parental leave supplementation. Please advise the employee that he/she is not eligible for paid parental leave supplementation.

If line 11 is **more than zero (0)**, proceed to the next step:

Insert figure from line 11	$	Line 12
Insert figure from line A4		Line 13
Divide line 12 by line 13.		**Line 14**

Line 14 identifies the number of days of Paid Parental Leave supplementation for the employee.

D. Process for Payment of Paid Parental Leave Supplementation
   a. Supplementation payment may only be made after the employee has exhausted all paid leave, or
   b. If the employee elects not to exhaust paid leave, after the period of time equal to the total of accrued paid leave.

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 22 - 03

DOCUMENTS DEPT.
AUG 25 2003
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Date: August 22, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENT - INITIAL ASSIGNMENT**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignment is hereby determined as indicated below. This assignment is effective ***August 30, 2003***.

Job Code	Unit Assignment	Certified Representative
1781 Media/ Security Systems Supervisor	11 – V	Intl. Alliance of Theatrical Stage Employees, Local 16 (EGC: 016)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA. 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at 252-3250 to request

- over -

the required form if you wish to file a protest regarding the unit assignment set forth above. If you have questions regarding this assignment, please contact Janet Rogers at 557-4915.

In general, provisions of the collective bargaining agreement with the employee organization listed above will apply prospectively to employees in the assigned job code from the effective date of the assignment.

cc: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 23-03

DOCUMENTS DEPT
SEP 18 2003
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DATE: September 17, 2003

TO: All Appointing Officers
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Department of Human Resources Service Levels for FY 03/04

As you are aware, the Department of Human Resources, like many departments citywide, was faced with the challenge of meeting a budget reduction target for the current fiscal year. As a result, our ability to continue to provide services as usual has been impacted. Staff reductions have resulted in restructuring some of our operations and a reduction in service levels. The Mayor and Board of Supervisors approved the reduced service levels, as our budget went through the approval process. The intent of this memo is to advise you of current service levels and to clarify expectations.

Merit System Services Division

The Merit System Services Division has been impacted by staffing reductions over the last few years, and had a large number of additional personnel reductions in the 2003-2004 budget. These staff reductions have required a major reorganization of the Merit System Services Division and related service reductions. The Merit System Services Division will no longer be able to provide the full range of examination, classification and departmental liaison services to all City Departments.

With fewer resources DHR is forced to strictly prioritize our Merit Systems service delivery. Our focus is to continue to deliver quality Merit System services to City Departments, streamlining business practices where feasible, and maintain manageable workloads for our remaining staff.

The impact of previous year reductions resulted in the Merit System Services Division (MSS) restructuring from four generalist teams servicing departments and providing citywide examination needs to three teams, and increased the number of departments served by individual

analysts. The current reductions require that the division be further restructured as follows: one team will be devoted to examination and classification work and the second team will be dedicated to Development, Liaison, and Technical Services (DLTS) functions. This DLTS team will focus efforts on process improvement, automation, streamlining of examination and classification services, and providing effective Merit System links to the various policy and procedure documents and guidelines. They will provide training, and are planning to implement electronic resources and an e-mail based response system to address departmental issues. We anticipate that this approach to departmental liaison services will provide for consistency and more efficient utilization of our limited resources.

Examination Program Reductions – Anticipated Citywide/General Impact

- MSS will not be able to meet the mandate for competitive examinations and the 3-year Charter limit for provisional appointments.
- Examinations will be prioritized -- public safety and revenue generating classifications receiving the highest priority.
- Provisional employment will increase, and there will be increased legal exposure by pushing hiring processes to the departments.
- Delays will occur in submitting reports to the Civil Service Commission regarding appeals.
- There is increased potential for negative impact on departmental operations and long-term provisional employees when exams are ultimately administered.

Classification, Requisition Processing, Departmental Liaison Services and Oversight of Decentralized Units

Priority in service will be given to Public Safety and revenue-producing departments. Departments that receive primarily external/non-general fund funding will be given a second level of service (unless they are able to provide work order funding to support a higher level of service), and the remaining general-funded departments will be given a third, lower level of service:

Level 1. Full Service Level
Level 2. Reduced Service Level/Unless Specifically Funded
Level 3. Limited Service Level/Unless Specifically Funded

To the extent staffing is available, MSS will provide Level 1 service primarily to the Public Safety, significant revenue-producing, high-level policy-making departments, and/or to those departments who directly fund DHR for specific services. MSS will provide Level 2 service to departments primarily funded through sources other than the General Fund, and Level 3 service to all remaining General Fund departments.

Level 1. Full Service Level:

- 48 hour turnaround on requisitions
- Review and approval of requests for Temporary Exchanges (where appropriate)
- Priority attention to classification requests
- Examinations scheduled on a priority basis
- Advice on classification of positions and organizational restructuring
- Respond to classification inquiries from the Board of Supervisors or Board of Supervisors Budget Analyst during the budget process
- Technical advice on examination processes for departments with de-centralized units; prompt turnaround on compliance reports, announcements and examinations prepared by decentralized staff
- Technical advice on provisional recruitments and exempt position postings
- Facilitation with other DHR units on examination and classification related issues
- Assistance in resolution of complaints and appeals related to work performed by decentralized units
- Review and advice on preparation of CSC reports; advice on presentations of appeals to the Civil Service Commission

Level 2. Reduced Service Level:

- One week turnaround on requisition approval
- Examination requests queued, addressed only when there are available resources not committed to Level 1 projects
- Classification requests queued, addressed only when there are available resources not committed to Level 1 projects
- Respond to classification inquiries from the Board of Supervisors or Board of Supervisors Budget Analyst during the budget process
- Requests for Technical advice on Exams/Class functions by decentralized units queued for response
- Requests for MSS advice by e-mail only, priority of response based on service level

Level 3. Limited Service

- Requisition approval limited to approval of straight replacement requisitions
- Respond to classification inquiries from the Board of Supervisors or Board of Supervisors Budget Analyst during the budget process
- Temporary Exchange requests will be referred to the budget process
- No examination services unless initiated for Level 1 departments
- Provisional recruitments will be strictly limited to the MQ's on the last announcement
- No assistance with exempt hiring processes
- No assistance with requests for classification changes or advice on organizational structure outside of the budget process

- No assistance in responding to complaints or appeals; reports generally go directly from department to CSC
- Requests for MSS advice by e-mail only, priority of response based on service level

Service Level 1 Departments

AIR Airport
ASR Assessor
BOS Board of Sups
CFM Convention Facilities Comm.
DBI Dept. of Building Inspection
DPW Public Works
ECD Emergency Comm. Dept
ECN Bus. & Economic Development
FIR Fire Department
MYR Mayor
POL Police
PUC Public Utilities (Clean Water; Hetch Hetchy; Light Heat and Power; Water Dept)
SHF Sheriff
REG Elections
TTX Treasurer/Tax Collector

Service Level 2 Departments

AAM Asian Art Museum
AGE Aging & Adult Services
ART Art Commission
DHS Human Services
DPH Public Health
FAM Fine Arts Museum
LIB Library
MTA Municipal Trans. Agency
REC Recreation and Park
PRT Port
RET Retirement
RNT Rent Arbitration Board
WAR War Memorial

Service Level 3 Departments	
ADM Administrative Services	ETH Ethics Commission
ADP Adult Probation	HRC Human Rights Comm.
ANC Animal Care & Control	HRD Human Resources
CAT City Attorney*	JUV Juvenile Probation
CCD Comm. College Dist.	LLB Law Library
CFC Children & Families Comm.	OCA Ofc of Contract Compliance
CHF Children, Youth & Families	PAB Permit Appeals
CME Medical Examiner's Office	PDR Public Defender*
CON Controller	PTC Parking & Traffic
CPC City Planning	ENV Environment
CRT Trial Courts	SCI Academy of Science
CSC Civil Service Commission	TIS Telecom. & Info. Svcs.
CSS Child Support Services	USD Unified School District
DAT District Attorney*	WOM Comm. on Status of Woman
AGW Consumer Assurance	

*Requisitions for budgeted, vacant permanent positions receive priority review in accordance with provision 1.1D of the 2002-2003 Annual Salary Ordinance.

Administrative Services Division:

In order to mitigate the reductions in positions, the Administrative Services Division has been restructured from seven units into three service areas as follows:

Finance and Budget Services
The Finance and Budget Services staff provides fiscal oversight for the department. Staff prepares the budget for the department, monitors expenditures during the fiscal year, processes accounting transactions, prepares departmental financial reports, and performs fiscal analysis on various departmental and citywide issues.

Personnel & Payroll Services
The Personnel and Payroll Services Unit administers and performs all internal payroll, personnel, and employment functions affecting staff and management of the Department of Human Resources. The Payroll and Personnel Services Unit also serves as the Department's internal coordinator with regard to Personal Services Contracts, Equal Employment Opportunity, Workers' Compensation, and Health and Safety.

Human Resources Services
The HR Services Unit responds to any and all departmental questions regarding City employment, personnel/discipline matters, and Civil Service Rule application or implementation. This service area is a consolidation of the Internal Service Unit, Referral Unit, Support Services Unit, and the Training and Organization Development (TOD) unit.

The HR Services unit will provide services as follows:

- Coordination of Family Medical Leave Act (FMLA), Paid Parental Leave, and Military Leave
- Reviewing requests for medical examinations (Rule 16 & Rule 20)
- Coordination of the Department of Transportation (DOT) drug testing program
- Layoff and return-to-duty processes
- Limited coordination of the Personal Services Contracts (PSC) requests for Civil Service approval. Revised joint DHR and Civil Service Commission procedures will be established and published.
- Review of restrictions on future employment with the City
- Fingerprinting and criminal history background checks of all new employees
- Verification and audits of post eligible list selection and appointment process
- Appointment validation and requisition backdating
- Certification of eligibles to hiring departments
- Job opportunities posting at 44 Gough and the City's Internet site
- Provide in-house printing and distribution center for the Department of Human Resources including printing Civil Service examinations, forms, reports, training materials and employment information; to distribute official documents, business materials and employment information; to retrieve, sort and deliver interdepartmental business materials and outgoing mail; and to process and deliver incoming mail.
- Provide managers, supervisors, staff, and organizations with development/training opportunities through a dedicated unit of training and organization development (TOD) professionals.

Employee Relations Division

As a result of the reductions in positions, the Employee Relations Division services will be impacted as follows:

- Increased turnaround time on special pay requests – special pay request processing time (e.g. supervisory differential, appointment above entrance) will be processed within fifteen (15) business days.

- Increased turnaround time for tuition reimbursement- tuition reimbursement processing will be completed within ten (10) business days.

- Grievance management – effective immediately, all departments are required to submit complete files in support of grievances filed at the ERD level. Incomplete files or a lack of backup and/or supporting information may result in expedited processing of grievances to the arbitration level.

- On-site assistance to departments will be limited to no more than one (1) business day per month per department, except in those cases where departments provide direct work orders for such services.

- Non-contractual meet and confer – ERD will advise departments on non-contractual meet and confer obligations, but will generally not be able to supply staff to manage or assist except in those cases where departments provide direct work orders for such services.

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR NO. 24-03

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SEP 29 2003
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DATE: September 22, 2003

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Family Medical Leave Act Semi-Annual Summary**

The Department of Labor requires employers to maintain Family Medical Leave Act (FMLA) records in accordance with the record keeping requirements of Section 11 (c) of the Fair Labor Standards Act (FLSA).

Each department is required to complete and submit to DHR Administrative Services the FMLA Semi-Annual Summary in April and October of each year. Upon receipt of these summaries, DHR will compile the citywide statistics required by the Department of Labor.

The FMLA Semi-Annual Summary for the period April 1, 2003 - September 30, 2003 is due on Friday, October 17, 2003. Attached is a copy of the Semi-Annual Summary form. Please mail or FAX the completed summary to DHR Administrative Services, 44 Gough Street (Department #33), FAX number 557-4868.

This memo and the Semi-Annual Summary form were also sent by e-mail to each department's FMLA coordinator.

If there are questions regarding the form, instructions, or procedures, please contact DHR Administrative Services: Lucy Palileo at 557-4883 or Emily Morrison at 557-4951.

Thank you for your cooperation.

Attachment

FMLA Semi-Annual Summary
April 1, 2003 - September 30, 2003

Department Name _____
Department Number _____
Division/Bureau _____

Total number of requests		_____
Total approvals	=	_____
Number of a	=	_____
Number of b	=	_____
Number of c	=	_____
Number of d	=	_____
Total denials	=	_____
Number of 1	=	_____
Number of 2	=	_____
Number of 3	=	_____
Number of 4	=	_____

Signature of Human Resources Manager: _____

Print Name and Phone Number of Person Completing Report: _____

Send original to DHR #33, Internal Services
cc: Department's FMLA file

REASON CODES:

Approvals

a) Birth of the employee's child and to care for the newborn child.
b) Placement with the employee of a child for adoption or foster care, and to care for the newly-placed child.
c) To care for an immediate family member because such family member has a serious health condition.
d) Employee's own serious health condition that makes the employee unable to perform the functions of his/her position including an on-the-job injury or illness.

Denials

1) Employee exhausted FMLA Leave entitlement for the 12-month rolling period.
2) Reason for the request is not covered by FMLA.
3) Employee failed to provide required documentation/certification, or documentation/certification is incomplete.
4) Employee was not eligible for FMLA Leave at the time of the request.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 25-03

DOCUMENTS DEPT
OCT - 1 2003
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DATE: September 29, 2003

TO: Appointing Officers
Departmental Personnel Officers

FROM: Andrea R. Gourdine, Human Resources Director

SUBJECT: Department of Elections Request for Poll Workers

The Department of Elections (DOE) is requesting that City departments provide employees to assist with the upcoming elections. The intent of this memorandum is to inform all departments of the DOE request and to provide guidance regarding the compensation and other terms and conditions of employment when Appointing Officers assign personnel to the Department of Elections for election day duties.

Background

In the past, many City employees have assisted with election day operations, including working as field elections deputies and poll workers. The San Francisco Charter provides that the Board of Supervisors must approve a waiver permitting City personnel to assist in elections. Recently, the Board of Supervisors approved a waiver permitting City personnel to assist in the upcoming October 7, November 4, possible December 7, and March 2 elections.

The Department of Elections is requesting other City departments to provide up to 200 City employees to serve as election workers for each of these elections. City employees who are fluent in Cantonese, Mandarin, and Spanish are especially needed.

Employment Issues

If an Appointing Officer determines that he or she can assign personnel to the Department of Elections, the Appointing Officer should first solicit employees to *volunteer* for the elections work. Employees who volunteer for elections work shall be paid their regular rate of pay for their normal work schedule by the department for whom they work. Employees needed to work on election day beyond their normal work schedule shall be eligible for compensatory (comp) time or overtime as set forth in their respective MOUs. Employees shall be eligible for all other beneficial terms and conditions of employment to which they would otherwise be eligible if they were working the same number of hours in their normal work assignment.

Appointing Officers may also *assign* staff for the elections work. As above, employees who are assigned to assist with elections work must be paid according to their union contract as if they are performing their normal duties.

Poll workers and field elections deputies are required to attend a training session that is usually conducted on a weekend day or weekday evening. If the training session is outside the employee's normal work schedule, the employee is also eligible for comp time or overtime (as set forth in the employee's union MOU) for the training.

Finally, certain enterprise departments may be limited in their ability to assign staff to the Department of Elections. Please consult with your finance staff or the Department of Elections for further clarification.

Attached for your convenience is the Department of Election's City Employee Temporary Assignment Form. For additional information, please contact Coni Binaley, Poll Worker Division Manager at 554-4332 or return the attached form by fax to 554-7829.

Attachment

cc: Katherine Petrucione
John Arntz, Director, Elections Department

DEPARTMENT OF ELECTIONS
City and County of San Francisco

JOHN ARNTZ
Director

CITY EMPLOYEE TEMPORARY ASSIGNMENT TO ELECTION DUTIES

PLEASE PRINT

Employee Name: _____

Home Address: _____

Department: _____

Work Address: _____

Day Contact Phone: _____ Evening/Cell Phone: _____

Languages spoken fluently other than English: _____

I have a vehicle that I can use on election day: _____ yes _____ no

ACKNOWLEDGEMENT

- ► **I am a San Francisco Registered Voter**
- ► **I am available to work during the hours of 6:00 A.M. and 9:00 P.M. on October 7, 2003**
- ► **I understand that if my services are not required for all or any portion of election day, I must return to my regular duties.**

Signed _____ **Date** _____
Employee

The above listed employee is released from his/her regular duty to work on election day, October 7, 2003.

Printed Name: _____ _____
Department Head or Authorized Representative **Title**

Signature: _____ **Date** _____

PLEASE FAX BACK TO THE POLL WORKER DIVISION, FAX NUMBER: 415-554-7829
Any inquiries, please contact Coni Binaley, Manager @ 415-554-4332

1 Dr. Carlton B. Goodlett Place – Room 48, San Francisco, CA 94102-4634
Voice (415) 554-4375; Fax (415) 554-7344; Absentee Fax (415) 554-4372; TDD (415) 554-4386

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 26-03

DOCUMENTS DEPT.
OCT - 7 2003
SAN FRANCISCO
PUBLIC LIBRARY

DATE: October 6, 2003

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine Andrea R. Gourdine
Human Resources Director

SUBJECT: Military Leave Extension FY 2003-04 Update

As you recall, the Mayor signed Ordinance #231-02, on December 5, 2002, which was adopted by the Board of Supervisors on November 25, 2002. The Ordinance amended the Annual Salary Ordinance (ASO) to provide compensation during the time period December 5, 2002 to June 30, 2003, for a total of days not to exceed 180 calendar days, for employees called to active military duty in response to the September 11, 2001 terrorist attacks. The Ordinance supplements pay and gives benefits to eligible employees in accordance with Charter Section A8.400(h).

The Mayor submitted language in the 2003-04 Annual Salary Ordinance (ASO) to extend this Military Leave provision for FY 2003-04. The Ordinance (No. 195-03) was approved by the Board of Supervisors on July 22, 2003 and signed by the Mayor on July 31, 2003.

With this action, the Military Leave Provisions as defined above have been extended for the duration of this fiscal year.

Please refer to DHR Memorandum No. 06-03 for additional Military Leave details.

TY:aaz

cc: Ben Rosenfield, Mayor's Budget Office
Sandra Holmes, PPSD
Brian Holmes, Controller's Office

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

Andrea R. Gourdine, Human Resources Director

MEMORANDUM

DHR No. 27-03

DOCUMENTS DEPT.
OCT 21 2003
SAN FRANCISCO PUBLIC LIBRARY

Date: October 17, 2003

To: Department Heads
Department Personnel Officers

From: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Notice concerning Authority to Hire and Terms and Conditions of Employment**

The Mayor has directed me to annually remind City managers and employees that all authority to hire and all terms and conditions of City employment, including salary and benefits are governed by the City Charter, City Ordinances, Civil Service Rules, or Memoranda of Understanding (MOU).

No City employee has the authority to promise applicants or employees any benefit that exceeds the terms of the Charter, the Administrative Code, the Civil Service Rules, or an applicable MOU. This would include promises about hiring, starting salary step, vacations, promotional advancement, civil service status, or health insurance coverage.

Managers and employees will be subject to discipline, up to and including termination, if they are found to have made unauthorized promises to applicants or employees.

Although the City is not legally bound by any employment-related promise made by managers or other employees, such statements undermine management credibility and damage our relationship with employees and their Union representatives. They may also expose the individual who exceeds his/her authority in making the promise to personal liability.

Please make sure that you and the employees you supervise either refer to the proper sources before discussing the terms and conditions of employment, or refer an applicant/employee question to an individual in your department knowledgeable about the terms and conditions that apply to that position.

If questions cannot be resolved within your department, please contact the Department of Human Resources Employee Relations Division at 557-4990.

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 28 - 03

DOCUMENTS DEPT
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Date: November 7, 2003

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Andrea R. Gourdine
Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENT - INITIAL ASSIGNMENT**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignment is hereby determined as indicated below. This assignment is effective ***November 22, 2003***.

Job Code	Unit Assignment	Certified Representative
1777 Media/ Security Systems Specialist	8 – O	Intl. Alliance of Theatrical Stage Employees, Local 16 (EGC: 016)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van Ness Avenue, Suite 720, San Francisco, CA 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at (415) 252-3250 to request

- over -

the required form if you wish to file a protest regarding the unit assignment set forth above. If you have questions regarding this assignment, please contact Janet Rogers at (415) 557-4915.

In general, provisions of the collective bargaining agreement with the employee organization listed above will apply prospectively to employees in the assigned job code from the effective date of the assignment.

cc: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Tinhha Luong, PPSD
Pamela Levin, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Yvonne Hudson, Health Service System
Diana Ferrari, Health Service System
Deborah McGuire, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 29-03

DOCUMENTS DEPT.
NOV 18 2003
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DATE: November 14, 2003

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea Gourdine
Human Resources Director

SUBJECT: ***Expiration of Temporary Exempt Requisitions and Appointments***

Departments are reminded that, in order to ensure Charter compliance for appointments in exempt categories, DHR will not extend Temporary Exempt requisitions and appointments beyond current expiration dates.

If your department has Temporary Exempt requisitions and/or appointments that are scheduled to expire, your department will need to issue new replacement requisitions in anticipation of the requisition/appointment expiration. All replacement requisitions will be subject to the normal review process by the Mayor's Office, the Controller's Office, and DHR-MSS. As a reminder, employees on expired requisitions must be separated upon expiration of the current requisition.

Please note that all replacement and new requisitions/appointments for Regularly Scheduled PT/FT Temporary Exempt appointment/positions have a maximum six-month duration, which will begin to run as soon as the requisition is approved.

However, in order to ensure that temporary employees are able to work for six months, the DHR Referral Unit will, at the time of appointment, automatically extend the requisition duration by the difference between the requisition approval date and the start work date (e.g., requisition is approved July 1, 2003, with an expiration date six months later of December 31, 2003, but an appointment to the requisition is not made until September 4, 2003. The requisition will be extended until March 3, 2004. In no case will the duration be extended beyond June 30, 2004). Upon expiration of the requisition, the appointment will also expire.

In accordance with applicable Civil Service Rules addressing the separation of temporary employees upon the expiration of the term of employment, a separation report must be issued. Under CSC Rules, the appointee must be notified as to the duration of the appointment and must be notified in writing at least ten working days in advance of the final separation date.

Departments are reminded that all Temporary Exempt employees must receive and sign a Notice to Exempt Appointee at the time of appointment or subsequent reappointment.

For further information, please do not hesitate to contact:

Appointments:	Patricia Pon, HR Services Group, 557-4816 Lucy J Palileo, HR Services Group, 557-4883
Requisition & EOL* Review & Approval:	MSS Analysts
Requisition Issuance Process:	Patricia Pon, HR Services Group, 557-4816
Separations:	Patricia Pon, HR Services Group, 557-4816 Lucy J Palileo, HR Services Group, 557-4883 Emily Morrison, HR Services Group, 557-4951
PV/NCS appts:	EEO

***Exceptions to the Order of Layoff**

AG:TY:az

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO

Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 30-03

DATE: November 14, 2003

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea Gourdine
Human Resources Director

SUBJECT: ***Annual Audit of Departmental Seniority Rosters***

Departments are reminded of their responsibility to perform an annual audit of their departmental seniority rosters. The audits must be completed by January 15, 2004. DHR – HR Services Group will review and implement the necessary updates to the roster by the end of February.

All departments have been provided with on-line access to the PeopleSoft system. As such, it will be the responsibility of the departments to retrieve their seniority reports from the system and audit the accuracy of the data.

Seniority rosters may be retrieved from preprogrammed queries in the system. The names of the preprogrammed queries available to departments include:

- SENIORITY_DP_SEC_1_DEPT
  This query will produce the seniority report for the entire department.

- SENIORITY_DP_SEC_1_DEPT_1_JON
  This query will produce the seniority for one job code within the department.

- SENIORITY_DP_SEC_1_DEPT_EOL
  This query will produce the seniority roster; along with any special condition(s) on the employee's requisition.

- SENIORITY_DP_SEC_1_DEPT_1_JOB_EOL
  This query will produce the seniority for one job code within the department, along with any special conditions on the employee's requisition.

Please remember that all queries can be run to an Excel spreadsheet, for easier sorting of the data by the department.

AUDIT CRITERIA:
In performing the annual audit, it is critical to verify the following:

1) The employee's name and social security number are correct.
2) All active employees (including employees on leave) are listed on the roster.
3) The roster does not include separated employees.
4) Both the department and DHR requisition numbers are correct (especially if there has been a reassignment).
5) Ensure that the appropriate special condition(s), if any, are listed or removed.
6) The employee's appointment status is correct.
7) The employee's work schedule is correct.
8) Both the citywide and departmental seniority dates are correct.
9) The rank number is correct for PCS employees.

Departments should submit all documentation to substantiate any recommended corrections that are requested. Documentation may include: copies of appointment processing forms, separation reports, referral/certification documents, etc. Copies of the PAR are not acceptable as documentation. The HR Services Group will review the documentation and make the correction in the system, if appropriate.

We strongly encourage departments to complete this annual audit as a means to ensuring and maintaining accurate internal records, as well as the basis of documentation to resolve discrepancies between PeopleSoft and departmental records.

For questions or other information, you may contact:

Seniority Rights, Appointment Status:	Patricia Pon, HR Services Group, 557-4816 Lucy Palileo, HR Services Group, 557-4883
Special Conditions:	MSS
Documentation for corrections:	Patricia Pon, HR Services Group, 557-4816
PeopleSoft Queries:	IS Hotline, 557-4807

AG:TY:az

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

REISSUED 11-14-03

MEMORANDUM
DHR No. 08-02

DATE: March 12, 2002

TO: Department Heads
Departmental Personnel Officers
Department Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Leave of Absence Tracking in the PeopleSoft HRMS

The Department of Human Resources continues to develop functionality in the HRMS that will enable us to administer our Health Service System through an integrated system. To that end we are introducing additional Human Resource functions and data entry that departments must perform in order to optimize the administration of health benefits. This memorandum is in regards to recording certain Leaves of Absence ("LOA") for your employees in specific situations.

Departments will be required to post LOAs into the HRMS for employees on leave for more than five consecutive working days for the following leave types: Educational, Personal, Unpaid Family Care Leave, and Leave for Employment as an Employee Organization Officer or Representative. All departments must begin this posting procedure by May 31, 2002.

In order to assure your compliance with this procedure you need to do the following:

1. Identify the primary HRMS user in your Human Resources or Payroll unit who will be assigned to this posting function. You must also identify a backup HRMS user. Additional users may also be identified based on the needs of your department.

2. Notify Linda Lee, at DHR (via cc:mail or at internet: Linda_Lee@ci.sf.ca.us) whom you authorize to perform LOA posting. You and your designated users will be informed of the training sessions available. (If your leave tracking staff is not an HRMS user, s/he will need to enroll in a View/Query session prior to receiving training on entering LOAs.)

3. Establish necessary procedures to ensure that the individual(s) assigned to posting LOA function receives approved Request for Leave forms (or copies or notification) for the applicable types of leave. It is critical to set up a process to notify these same users when an employee has returned from the leave.

It is our intent that the recording of these LOAs will facilitate the administration of health benefits, the proper processing of premium payments and the correct charges to your department and recovery of costs from the employee. With this same intent we will soon be announcing the posting of certain separations/terminations by your department directly into the HRMS.

For further information, please direct your questions to the DHR Human Resources Services.

AG:TY:az

This information has been prepared by the Health Service System

THE IMPACT OF LEAVES OF ABSENCE ON HEALTH SERVICE SYSTEM MEMBERSHIP

The information in this document is intended to be a brief summary. Employees should be referred to Membership Services at the Health Service System, (415) 554-1750 for information specific to their situation due to the variations found in collective bargaining agreements.

Health Service System premiums are payable and due in advance. This makes it more critical for employees going on leave of absence to know when their premiums are due.

General Information Concerning All Unpaid Leaves
Eligibility for membership in the Health Service System continues for the duration of all approved unpaid leaves. However, immediately upon going into unpaid status, the ***employee*** is responsible for making any payments that would otherwise have been deducted from his/her paycheck. Then, at the point that the City subsidy* ends, the employee is responsible for paying the entire cost of the health coverage. This includes both health and dental.

While on leave of absence, the employee has the option to continue health and dental, health only, dental only, or neither. If notification of return to work is received, the Health Service System will reinstate any coverage that was discontinued and reinstate applicable payroll deductions. *This does not always occur, so employees should contact the Health Service System to insure reinstatement of coverage.* Employees who wish to waive coverage upon return to work from leave of absence must also contact the Health Service System immediately upon their return to work.

WHAT YOU SHOULD KNOW ABOUT VARIOUS LEAVES AND BENEFITS

Educational Leave and Personal Leave
Membership in the Health Service System continues for the duration of the leave that has been approved. For the first 12 weeks, the City subsidy continues and the member is only responsible for premium amounts previously deducted from their paycheck.

What does the employee pay?
After 12 weeks, there is no longer a City subsidy and the member is responsible for their regular premium, plus the amount that the City has been contributing for them for their health and dental plans.

Leave for Employment as an Employee Organization Officer or Representative
Membership in the Health Service System continues for the duration of the leave that has been approved. For the first 12 weeks, the City subsidy continues and the member is only responsible for premium amounts previously deducted from their paycheck.

*The City subsidy consists of the health coverage contribution provided for in the City charter as well as any additional City paid premiums established by collective bargaining agreements for health and dental coverage.

What does the employee pay?
After 12 weeks, there is no longer a City subsidy and the member is responsible for their regular premium, plus the amount that the City has been contributing for them for their health and dental plans.

In certain cases, the union which the member is serving will pay the cost of the member's health and or dental insurance. ***It is STILL the member's responsibility to make sure this premium is paid.*** Health Service System will not seek payment from the union.

Family Care Leave
While a member is on Family Care Leave, the Health Service System coverage continues as long as the member continues to pay any premium portion that was deducted from his/her paycheck. The City subsidy continues for the duration of the Family Care Leave.

What does the employee pay?
The same amount that was deducted from his/her paycheck before commencing the leave of absence.

Personal Leave Following Family Care Leave
This is a special case. If a member has been on Family Care Leave, and continues his/her leave with personal leave for the same reason, and has maintained their health coverage, the City subsidy continues for the duration of the leave.

What does the employee pay?
The same amount that was deducted from his/her paycheck before commencing the leave of absence.

Military Leave - Ordinance #231-02 (Does not include San Francisco Unified School District and San Francisco Community College)
In accordance with the above referenced Military Leave Ordinance passed by the Board of Supervisors for the purposes of health benefits, employees on military leave are treated as if they are working for up to 180 days. During that period, health premium will continue to be deducted from the employee's paycheck and City subsidy continues. If the leave exceeds 180 days, the employee may use accrued vacation, compensatory time or floating holidays to supplement pay. During that time, health premiums will continue to be deducted from his/her paycheck.

San Francisco Unified School District
Non-classified employees (certificated and paraprofessional) on military leave are entitled to 30 days of employer subsidy for health insurance.

For Civil Service employees, the District will continue to subsidize their health premium for up to 12 weeks.

Community College District
The Community College District pays the employer portion of the premium for Classified and Non-Classified employees on unpaid military leave for the duration of the leave.

*The City subsidy consists of the health coverage contribution provided for in the City charter as well as any additional City paid premiums established by collective bargaining agreements for health and dental coverage.

What does the employee pay?
Once all appropriate accrued time is exhausted and the employee is still on leave of absence without pay, he/she will no longer be eligible for City subsidy and is responsible for their regular premium plus the amount that the City contributed for them for their health and dental plans. The employee may also opt to discontinue coverage for the duration of the leave of absence.

San Francisco Unified School District
After 30 days, the **non-classified employees** (certificated and paraprofessional) must pay the full cost for health coverage (both District and employee portion) or opt to discontinue coverage for the duration of the leave of absence.

After 12 weeks, **Civil Service employees** must pay the full cost for health directly to the Health Service System (both District and employee portion) or opt to discontinue coverage for the duration of the leave of absence.

Community College District
Both Classified and Non-Classified employees pay their portion of health premiums directly to the Health Service System.

Health Benefits as a Holdover After Layoff (San Francisco Administrative Code Section 16.701)
Employees who have been laid off and placed on a holdover roster are eligible to receive both Charter-determined contribution and collectively bargained contributions toward health insurance benefits as long they remain on a holdover roster.

In order to continue to receive the aforementioned subsidies, the employee must certify annually (during open enrollment), in writing, that he/she does not have access to health insurance benefits through any other means.

*The City subsidy consists of the health coverage contribution provided for in the City charter as well as any additional City paid premiums established by collective bargaining agreements for health and dental coverage.

FOUR TYPES OF UNPAID LEAVE OF ABSENCE THAT IMPACT PREMIUM COLLECTION AND CITY MATCH

The information contained herein is in reference to four types of unpaid leave of absence which are entered into PeopleSoft Information System following five (5) consecutive days of leave. After twelve (12) weeks of leave on inactive status (unpaid leave) the premium collection and city match will impact an employee's health and dental benefits. Current Collective Bargaining Agreements (CBA/MOU) governing the requested leave should be checked to ensure compliance with applicable provisions of the union contract. The four types of unpaid leaves are Education Leave, Leave as an Employee Organization Officer or Representative, Family Care Leave and Personal Leave. The definitions, eligibility and approval process for these types of leave are as follow:

EDUCATION LEAVE

DATA ENTRY CODE: EDU

CSC RULE 120.30

Definition: Leave for the purpose of educational or vocational training in a field related to the employee's current position and as any training to which a veteran is entitled pursuant to the laws of the United States.

Eligibility: Pursuant to CSC Rule 120.30.2, leave is approved for Permanent appointees for a period of up to one (1) year. Request for educational leave of longer than one year must be renewed each year.

Note: **Employees represented by SEIU** may be granted educational leave upon approval of the appointing officer and must be renewed each year if leave is longer than one year.

An employee on educational leave shall not accept other employment without approval of the appointing officer and the Human Resources Director.

As soon as records are available, the employee shall periodically present to the appointing officer a record of completed educational work. These records shall be maintained in such a manner as to be readily available for audit by Department of Human Resources staff. Failure to submit an acceptable record of completed educational work shall subject the employee to disciplinary actions as provided in the Charter.

Approval Process:

REQUEST FOR LEAVE (DHR 7-20) FORM is processed for Education Leave over five (5) days:

Employee completes Section I of the form specifying Education Leave and forwards the request form to his/her supervisor.

The employee's supervisor is responsible for forwarding the request through the departmental administration for approval.

If the request is approved the department retains the original Request For Leave form in the employee's Official Employee Personnel Folder (OEPF).

LEAVE FOR EMPLOYMENT AS AN EMPLOYEE ORGANIZATION OFFICER OR REPRESENTATIVE

DATA ENTRY CODE: EOR

CSC RULE 120.32

Definition: Leave to serve full-time as an officer or representative of an employee organization whose membership includes City employees, or to attend a convention or other type of business meeting of an employee organization as an officer or delegate of the organization.

Eligibility: Permanent appointees may be approved for the duration of such service.

Approval Process:

REQUEST FOR LEAVE (DHR 7-20) FORM is processed for Leave for Employment as an Employee Organization Officer or Representative over five (5) days:

Employee completes Section I of the form and indicates "Other" specifying Leave for Employment as an Employee Organization Officer or Representative and forwards the request form to his/her supervisor.

The employee's supervisor is responsible for forwarding the request through the departmental administration for approval. If the request is approved the department retains the original Request For Leave form in the employee's Official Personnel Folder (OEPF).

FAMILY CARE LEAVE

DATA ENTRY CODE: FCL

CSC RULE 120.33

Definition of Family: A unit of interdependent and interacting persons, related together over time by strong and emotional bonds and/or by ties of marriage, birth and adoption, whose central purpose is to create, maintain and promote the social, mental, physical and emotional development and well being of each of its members.

Eligibility: Pursuant to CSC 120.33.2, permanent employees who have one (1) or more years of continuous service in any status may be granted up to one (1) year of unpaid family care leave for the following reasons:

1) The birth of a biological child of the employee;

2) The assumption by the employee of parenting or child rearing responsibilities. Family care leave does not apply to an employee who temporarily cares for a child for compensation, such as a paid care worker;

3) The serious illness or health condition of a family member of the employee, the employee's spouse or domestic partner, a parent of the employee, the biological or adoptive child of the employee, or a child for whom the employee has parenting or child rearing responsibilities; or

4) The mental or physical impairment of a family member of the employee, the employee's spouse or domestic partner, a parent of the employee, the biological or adoptive child of the employee, or a child for whom the employee has parenting or child rearing responsibilities, which impairment renders that person incapable of self-care.

Family care leave is unpaid leave. Such leave may be granted in addition to accumulated compensatory time off, vacation time, floating holiday time or sick leave, as specified under Sick Leave - Illness or Medical Appointment of Child, Parent, Spouse, or Registered Domestic Partner.

Approval Process:

REQUEST FOR LEAVE (DHR 7-20) FORM

Employee completes Section I of the form specifying Family Care Leave, has their Health Care Provider complete and sign Section II, and the employee forwards the request form to his/her supervisor.

The employee's supervisor is responsible for forwarding the request through the departmental administration for approval.

If the request is approved the department retains the original Request For Leave form in a department-maintained Administrative File for future audit purpose.

PERSONAL LEAVE

DATA ENTRY CODE: PLV or PLF (Personal Leave following Family Care Leave)

CSC RULE 120.39

Definition: Leave for reasons other than those covered in other sections of this Rule.

Eligibility: Pursuant to CSC Rule 120.39.2, leave for permanent employees may be approved for a period of up to twelve (12) months within any two (2) - year period. Personal leave for temporary or provisional employees may be approved only if replacement of the employee is not required and for a maximum of one (1) month.

Note. Personal leave for **employees represented by Local 21** may be approved for a period of up to twelve months within any two (2) year period.

On the request of' an appointing officer, the Human Resources Director, may for reasons deemed to be in the best interest of the service approve extension of personal leave beyond a twelve (12) month period.

Appointing officers have broad discretion in approving the initial request for personal leave, which may be for reasons such as travel, employment outside the City and County, or some other basis including compassionate reasons for which leave is not covered under other provisions of the Civil Services Commission Rules and which the appointing officer believes to be in the best interest of the department. The decision of the appointing officer is final and is not subject to appeal.

Approval Process:

REQUEST FOR LEAVE (DHR 7-20) FORM

Employee completes Section I of the form specifying Personal Leave and forwards the request form to his/her supervisor. If the Personal Leave is following a Family Care Leave, the employee checks the Personal Leave box and specifies the reason for leave as "continuing the care a family member". (Data Entry Code PLF)

The employee's supervisor is responsible for forwarding the request through the departmental administration for approval.

If the request is approved, the department retains the original Request For Leave form in a department maintained Administrative File for future audit purpose.

Processing Personal Leave following Family Care Leave:
When processing the Request For Leave form (DHR 7-20) for PLF - Personal Leave following Family Care Leave, an employee checks the Personal Leave box and specifies the reason for leave as "continuing the care a family member".

Definitions of Leave of Absence for the new codes are as follow:

SICK LEAVE WITHOUT PAY

DATA ENTRY CODE: SNP

CSC RULE 120.18 - 120.20

Definition: Sick leave requested by an employee who is not eligible for sick leave with pay or who has exhausted sick leave with pay credits.

Eligibility:

May be granted to temporary, provisional or temporary exempt employees for one month at a time, up to a maximum of three months, except for maternity leave; OR

May be granted to permanent or permanent exempt employees for three months at a time, up to a maximum of one year. If a designated Department of Human Resources physician advises that there is a reasonable probability that the employee will be able to return to employment, the leave may be extended for periods of (three (3) months up to a maximum of one additional year of sick leave.

Approval Process:

REQUEST FOR LEAVE (DHR 7-20) FORM is processed for sick leave without pay for over five (5) days:

Employee completes Section I of the form specifying sick leave without pay and forwards the request form to his/her supervisor.

The employee's supervisor is responsible for forwarding the request through the departmental administration for approval.

If the request is approved the department retains the original Request For Leave form in a department maintained Administrative File for future audit purpose.

COMPULSORY SICK LEAVE

DATA ENTRY CODE: SNP

CSC RULE 120.22

Definition: Sick leave imposed by an appointing officer after the employee, has been evaluated by a designated Department of Human Resources physician, and has been found medically or physically incompetent to perform the required duties of the position.

Eligibility: Employees who meet the definition of compulsory leave may be paid or unpaid. An employee who is not eligible for sick leave with pay or who has exhausted sick leave with pay credits is on compulsory sick leave without pay.

Approval Process:

SEPARATION REPORT (DHR 1-67) FORM is processed for compulsory sick leave for over five (5) days:

Upper section and Box #2 of the Separation Report are completed by the department.

Box #2 is checked as "Other-Specify" and indicate Compulsory Sick Leave.

Start and End Dates of Leave are stated.

Bottom section of the Separation Report is completed by the Appointing Officer.

DISABILITY LEAVE

DATA ENTRY CODE: WCL

CSC RULE 120.23

Definition: Leave due to illness or injury arising out of and in the course of employment. This leave is commonly referred to as Worker's Compensation and is administered under the State Worker's Compensation Laws and by the Worker's Compensation Division of the Department of Human Resources.

Eligibility: Any employee who becomes ill or sustains injury out of and in the course of work.

Approval Process:

EMPLOYEE'S CLAIM FOR WORKER'S COMPENSATION (DWC-1) FORM

Upon an employee reporting a job related illness or injury, the immediate supervisor will provide a DWC-1 form to the employee and refer him/her for medical evaluation and/or treatment to either SF General Hospital - Occupational Health Service Center or to the employee's pre-designated health provider. An informational pamphlet Titled "Facts About Worker's Compensation" is also given to the employee.

Employee submits the completed DWC - 1, Employee's Claim For Worker's Compensation (DWC), to the department's Human Resources office.

The employee's supervisor completes the "Incident Investigation Report" no later than 24 hours after the reported incident, and submits the Incident Investigation Report to the department designated worker's compensation coordinator.

The health provider and the department's designated worker's compensation coordinator will forward the information to the Worker's Compensation Division for case management.

UNPAID ADMINISTRATIVE LEAVE

DATA ENTRY CODE: UAL

Definition:

Leave **pursuant to San Francisco Charter Section A8.341 - Removal or Discharge of Permanent, Non-Probationary Employees** which authorizes an appointing officer to place an employee on unpaid administrative leave for just cause for a period of no more than 30 calendar days unless an investigation is delayed beyond such time by the act of the accused employee.

Leave **pursuant to CSC Rule 120.28 - Unpaid Administrative Leave (Furloughs)** which authorizes an appointing officer to impose Unpaid Administrative Leave (Furloughs) subject to receipt of a projected Deficit Notice (PDN) from the Controller stating that the department's budget will be insufficient to support the department's level of spending through the end of the fiscal year.

SEPARATION REPORT (DHR 1-67) FORM is processed for Unpaid Administrative Leave for over five (5) days:

Upper section and Box #2 of the Separation Report are completed by the department.

Box #2 is checked and indicate "Unpaid Administrative Leave" as type of leave.

Start and End Dates of Leave are stated.

Bottom section of the Separation Report is completed by the Appointing Officer.

City and County of San Francisco

Request for Leave

(Do not use this form for requesting FMLA Leave.)

If you are requesting Leave under the **FAMILY AND MEDICAL LEAVE ACT**, obtain and complete FMLA 1A & 2.

☐ NEW ☐ RENEWAL

(Read reverse side for important information on leaves prior to completing form.)

SECTION I: Employee MUST Complete

Name _____ Social Security No. _____

Address _____ City, State Zip Code _____

Telephone No. _____ Employment Status: **Permanent** ☐ **Probationary** ☐ **Temporary** ☐ **Provisional** ☐ **Exempt** ☐

Type of Leave Requested: *(Check one below)*

☐ **Sick leave with pay** ☐ **Sick leave without pay**

☐ Check if you will be receiving State Disability Insurance and wish to supplement with Sick Leave, Vacation or Compensatory Time credits

☐ Check if you will be receiving State Disability Insurance and DO NOT wish to supplement with sick leave, vacation or compensatory time credits

☐ **Military Leave** *(copy of orders attached)*

☐ **Educational Leave**

☐ **Family Care Leave** *(for permanent employees only)*

☐ **Personal Leave** *(See Reverse Side) (Specify)* _____

☐ **To Accept Other City and County Employment**

Department: _____ Class No. & Title _____

☐ **Other:** *(Specify)* _____

Date of Leave: From : _____ Through : _____

Signature _____ Date _____

SECTION II - HEALTH CARE PROVIDER MUST COMPLETE

(For FMLA Leave, use Certification of Health Care Provider (FMLA2) form.)

I, the undersigned health care provider, do hereby certify that the above-named employee is completely incapacitated for the performance of essential functions for the time period indicated below. In signing this form, I understand and agree to answer in a timely fashion the employer's reasonable questions as to the basis of the statements made on this form. I understand that my cooperation is necessary to secure the employer's approval of sick leave.

Date of leave: From _____ Through _____ Inclusive

Health Care Provider: (Print Name) _____ License No. _____

Address _____ City _____ State _____ Zip Code _____

Signature _____ Date _____ Telephone _____

RETURN TO PATIENT WHO IS RESPONSIBLE FOR FORWARDING TO THE EMPLOYER.

SECTION III - APPROVALS

PRINT NAME/TITLE	SIGNATURE	DATE	APPROVE	DISAPPROVE (ATTACH REASONS)
(Employee's Supervisor)				
(Personnel Officer/Designee)				
(Appointing Officer/Designee)				

READ REVERSE SIDE

Leaves of Absence - General Provisions

Leaves of absence are governed by the following general provisions: 1. Leave requests must be submitted to a department head or designee for approval; 2. A request for leave in excess of five (5) days must be approved in advance on the appropriate form by your supervisor, your department's Human Resources representative, and the Appointing Officer/Designee; 3. Employees who do not return to work when they are expected are absent without leave (AWOL) and may be subject to disciplinary action or automatic resignation; 4. Disapproval of certain types of Leave may be appealed either through the grievance procedure in your Collective Bargaining Agreement or the Civil Service Commission Rules. Consult with your Human Resource representative if you have a question or need more information.

Sick Leave. Sick leave requests for over 5 days must be certified by a licensed medical doctor, doctor of dental surgery, doctor of podiatric medicine, licensed clinical psychologist, Christian Scientist practitioner, licensed doctor of Chiropractic, or if this is a request under the FMLA, the health care providers that are identified in the FMLA.

Verification of sick leave for less than five (5) days may be required on an individual basis. It is your responsibility to notify your supervisor when you are unable to report for duty because of illness, and of the approximate date of your return to work. In cases of Sick Leave, the duration of leave requested by th employee in Section I of this form must be the same as the duration certified as necessary by the health care provider in Section II of this form.

SDI payments to an employee who has accumulated and is eligible to use sick leave with pay credits, vacation credits, or compensatory time off credits shall be supplemented with such credits so that the total of SDI and such credits, calculated in units of one hour provides up to, but does not exceed, the regular gross salary the employee would have received for the normal work schedule excluding overtime. An employee who wishes not to supplement must so indicate on the reverse side of this form within seven (7) calendar days following the first date of absence. Employees who are supplementing SDI earn sick leave with pay credits and vacation credits at the normal rate only for those hours of sick leave with pay credits used.

Except for Personal Leave and in those cases where the employee has obtained the prior approval of the appointing officer and the Human Resources Director, an employee may not accept employment outside of the City and County service, other than military service, while on leave of absence.

Family Care Leave. Unpaid Family Care Leave may be approved for up to one (1) year for permanent employees who have one (1) or more years of continuous service for the birth of the employee's child; the assumption of parenting or child rearing responsibilities; or the serious illness, health condition, mental or physical impairment of the employee's family member, domestic partner, child, parent or child for whom the employee has parenting responsibilities

Military Leave. Military leave is governed by the provisions of applicable Federal and State laws, Charter provisions, and by the Civil Service Commission Rules. Under certain conditions, an employee may be granted military leave. Certain employees on military leave may receive their regular compensation fo a period not to exceed 30 days. A copy of official orders must be attached to the request for military leave.

Jury Duty Leave. Employees must notify their supervisor when a jury summons is received. Any employee who is called to jury duty for a Municipal, State Federal Court during the employee's working hours is allowed their regular compensation less the amount of jury fees paid while serving as a juror. Employees called as a witness in a non-work related matter may be granted leave without pay, unless vacation leave or compensatory time is granted.

Educational Leave. Employees may be granted leave for the purpose of securing educational or vocational training in a field related to their current position Educational leaves for permanent employees may be granted for up to one (1) year. Requests for longer leaves must be renewed yearly.

Religious Leave. Employees may be granted religious leave when personal religious beliefs require the abstention from work during certain periods of the work day or work week. Religious leave is without pay unless a request to utilize accumulated compensatory time off, vacation time, or floating holidays is approved.

Leave to Accept Other City and County Employment. Leave by an employee to accept temporary or exempt appointment in the City and County may be approved by a department head for the duration of such appointment.

Personal Leave. Unpaid personal leave may be approved for an employee. Personal leave may be approved for a period of up to twelve (12) months within any two (2) year period.

Family and Medical Leave (FMLA). You may be eligible under the FMLA to take unpaid leave for up to 12 work weeks for any of the following reasons:

- a serious health condition that makes you unable to perform the functions of your position;
- birth and care of your newborn child;
- placement of a child with you for adoption or foster care;
- care for your spouse/domestic partner, son, daughter, or parent with a serious health condition.

Serious Health Condition. A "serious health condition" means an illness, injury, impairment, or physical or mental condition that involves either: any period o incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice or residential medical-care facility and any inpatient care; or continuing treatment by a health care provider which includes any period of incapacity.

You must have worked a minimum of 1250 hours during the last 12 month period. You are required to use paid time whenever appropriate, subject to the approval of the appointing officer or designee.

Leave Extension: An employee who wishes to extend a leave of absence must submit a completed REQUEST FOR LEAVE to his/her immediate supervisc or department's Human Resources representative at least two weeks before the expiration date of the current leave. If the request is for sick leave, the healt care provider must complete Section II of the request.

Leave Abridgment: An employee who wishes to abridge a leave must submit an amended REQUEST FOR LEAVE before returning to work, and, if the employee was on sick leave, the health care provider must certify that the employee is physically able to return to work.

CITY AND COUNTY OF SAN FRANCISCO
DEPARTMENT OF HUMAN RESOURCES

SEPARATION REPORT (SR)

ME (LAST, FIRST, M.I.)	DATE OF BIRTH	SOCIAL SECURITY NO.	DHR USE ONLY SR-

SS NO.	TITLE	RANK	LIST	CERTIFICATION OR START WORK DATE	DHR RQ NUMBER

ME ADDRESS - COMPLETE FOR PARTS 3,4,OR 5 ONLY	DATE ISSUED	DATE EFFECTIVE	DEPT. RQ NO.

ME TELEPHONE NUMBER:

E OF APPOINTMENT
- ___PERMANENT
- ___PERMANENT EXEMPT
- ___TEMPORARY FROM LIST (TCS)
- ___TEMPORARY EXEMPT
- ___PROVISIONAL
- ___LIMITED TENURE (LT)
- ___NON-CIVIL SERVICE (NCS)

WORK SCHEDULE
- ___FULL-TIME
- ___PART-TIME
- ___SCHOOL TERM
- ___AS NEEDED

IS THE EMPLOYEE SERVING A PROBATIONARY PERIOD AT THE TIME OF SEPARATION?
___YES IF YES, SPECIFY TYPE: ___ENTRANCE ___PROMOTIVE
___NO

HIS A COMPLETE ___YES ___NO
PARATION FROM
Y AND COUNTY SERVICE?

IF NO, RETURNING TO PCS POSITION?
___YES DEPT_____
___NO CLASS_____

OR

ACCEPTING OTHER EMPLOYMENT?
___YES NEW DEPT_____
___NO CLASS_____
STATUS_____

1 ☐ REASSIGNMENT - DISTRIBUTE COPIES A-C ONLY

	DEPT REQ NUMBER	DHR REQ NUMBER	DEPT	DIV	CLASS	POSITION NUMBER	REQ TYPE	WORK SCHED	WORK SHIFT
NEW EQUISITION									

2 ☐ LEAVE/SUSPENSION OVER 5 DAYS

- ___PERSONAL LEAVE
- ___SICK LEAVE
- ___SUSPENSION
- ___MILITARY (ATTACH COPY OF ORDERS)
- ___UNPAID ADMINISTRATIVE LEAVE
- ___LEAVE TO ACCEPT A TEMPORARY APPOINTMENT DEPT._____ CLASS NO._____
- ___OTHER-SPECIFY

APPROVED DURATION START DATE

END DATE

5 DISCHARGE

- ___DISMISSAL
- ___TERMINATION
- ___AUTOMATIC RESIGNATION

6 OTHER

- ___REINSTATEMENT
- ___TRANSFER
- ___RETIREMENT
- ___RELEASE FROM APPOINTMENT
  - ___EXEMPT/NCS PROBATIONARY
  - ___NON-DISCIPLINARY
  - ___DISCIPLINARY
- ___REACHED PERMISSIBLE TIME LIMIT
- ___DEATH
- ___OTHER

3 ☐ RESIGNATION

- ___SATISFACTORY SERVICES
- ___UNSATISFACTORY SERVICES
- ___TO ACCEPT ANOTHER CIVIL SERVICE POSITION (NOT A SEPARATION FROM THE CITY AND COUNTY SERVICE)

BY THE APPOINTEE: I HEREBY FREELY AND VOLUNTARILY RESIGN FROM THE ABOVE POSITION. I REQUEST APPROVAL OF THIS RESIGNATION AS OF THE EFFECTIVE DATE WITH THE FULL UNDERSTANDING THAT ONCE APPROVED, I MAY ACQUIRE ANOTHER POSITION IN THIS CLASS ONLY AS PROVIDED IN THE RULES OF THE CIVIL SERVICE COMMISSION (SEE EMPLOYEE COPY AND CSC RULES 14 & 19)

SIGNATURE DATE

4 ☐ LAY-OFF

- ___INVOLUNTARY LEAVE
- ___INVOLUNTARY LAY-OFF
- ___VOLUNTARY LAY-OFF
- ___ELECTIVE INVOLUNTARY LEAVE

REASON
- ___LACK OF WORK
- ___LACK OF FUNDS
- ___DISPLACED
- ___RETRENCHMENT

METHOD OF NOTICE
- ___HAND DELIVERED
- ___CERTIFIED MAIL

BY THE APPOINTEE: I ACKNOWLEDGE RECEIPT OF THE DHR INFORMATION LEAFLET.

SIGNATURE DATE

POINTING OFFICER SIGNATURE	TELEPHONE NUMBER
ME/TITLE	

PARTMENT NO.	DEPARTMENT NAME	PERSONNEL FILE FORWARDED YES____ NO____	FORWARDED TO:

DHR USE

RQ STATUS
CANCEL: YES ____ NO____
DOC.#:
SR POSTED ___ Date
CN POSTED ___ Date
Holdover Canvass

I-67 (REV. 8/98)

DEPARTMENT OF HUMAN RESOURCES

3300-06

QUICK REFERENCE

UNPAID LEAVE OF ABSENCE

Type of Leave & Data Entry Code	Extends Probation	Appealable	Maximum Duration Allowed	Health Service System (HSS) Premium Collection and City Subsidy for Health & Dental Benefits	Forms required when over five (5) days	Forms to DHR	Check CBA/ MOU	CSC Rule Section
Education Leave (EDU) (Permanent)	Yes	Yes	1 Year	Member responsible for own premiums. City subsidy continues for 12 weeks. After 12 weeks member responsible for both premium and City subsidy.	R/L	NONE	Yes	120.30
Leave For Employee Organization (EOR) (Permanent)	Yes	Yes	Duration of Employment	Member responsible for own premiums. City subsidy continues for 12 weeks. After 12 weeks member responsible for both premium and City subsidy.	R/L	NONE	Yes	120.32
Family Care Leave (FCL) (Permanent)	Yes	Yes	1 Year	Member responsible for premiums. City subsidy continues for duration of leave.	R/L	NONE	Yes	120.33
Personal Leave (PLV) (Permanent) (Temporary)	Yes	No	1 Year 1 Month	Member Responsible for own premiums. City subsidy continues for 12 weeks. After 12 weeks member responsible for both premium and City subsidy.	R/L	NONE	Yes	120.39
Personal Leave following Family Care Leave (PLF) (Permanent)	Yes	No	1 Year	Member responsible for premiums. City subsidy continues for duration of leave.	R/L	NONE	Yes	120.33 120.39

QUICK REFERENCE

UNPAID LEAVE OF ABSENCE

Type of Leave & Data Entry Code	Extends Probation	Appealable	Maximum Duration Allowed	Health Service System (HSS) Premium Collection and City Subsidy for Health & Dental Benefits	Forms required when over five (5) days	Forms to DHR	Check CBA/ MOU	CSC Rule Section
Sick Leave Without Pay (SNP) Permanent Temporary	Yes N/A	No No	1 Year 3 Months	Member responsible for premiums. City subsidy continues for duration of leave.	R/L	NONE	Yes	120.30
Includes Unpaid Compulsory Leave (SNP)	Yes	Yes	See Rule		S/R Indicate Compulsory	S/R*	Yes	120.7.6 120.22
Disability Leave (WCL) Permanent Temporary	Yes N/A	No	Per Medical Certification	Member is responsible for premiums. City subsidy continues for duration of leave.	DWC-1	NONE	Yes	120.23
Unpaid Administrative Leave (UAL) Permanent Temporary	Yes N/A	No	30 Calendar Days or Furlough	Member is responsible for premiums. City subsidy continues for duration of leave.	S/R	S/R*	Yes	Charter Section A8.341 or 120.28

R/L – Request for Leave S/R* – Separation Report with Required Attachments

DWC-1 – Employee's Claim for Workers' Compensation Benefits

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea A. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 31-03

DOCUMENTS DEPT.
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DATE: November 24, 2003

TO: Appointing Officers, Personnel Officers, Payroll & Personnel Clerks

FROM: Andrea Gourdine, Human Resources Director

SUBJECT: **EXTENSION OF TEMPORARY APPOINTMENTS**

Civil Service Commission Rules 114, 214, 314, 414 provide that a provisional appointment is time limited to a maximum duration of the hourly equivalent of 130 working days and may not exceed 1040 hours in any class in any department in a calendar year. The Rules also provide that provisional appointments may be extended with the approval of the Human Resources Director for additional periods of time not to exceed, for each extension, the specified time limitations.

Extension of Temporary Provisional Appointments

In accordance with Civil Service Commission Rules, active **Temporary Provisional (TPV)** appointments with expiration date of December 31, 2003 will be extended. The new expiration date is June 30, 2004, assuming that requisitions for the appointments are valid to June 30, 2004. Please be sure that employees complete an updated Notice to Provisional Appointee form.

If your department elects not to extend an appointment, please issue a separation report in accordance with applicable Civil Service Rules and/or MOU notification provisions.

Temporary Appointments Not Extended

Temporary Civil Service (TCS), Limited Tenure (TLT), Non-Civil Service (NCS) and **Temporary Exempt (TEX)** appointments will not be automatically extended. Please review applicable Civil Service Commission rules relevant to these appointment types. Please also review DHR Memorandum No. 29-03, issued on November 14, 2003, concerning Temporary Exempt Requisitions and Appointments.

In addition, there are provisional (**TPV**) appointments should not be automatically extended. Departmental human resources personnel must review their departments' TPV appointments to determine if they should be excluded from automatic extension. Reasons for not extending a provisional appointment may include the following: the appointment has reached the three-year limit established by the San Francisco Charter, an eligible list

currently exists from which permanent appointments could be made, or the appointment was made for a specific duration with an end date other than December 31, 2003. Information on the reason for a provisional appointment is in the PeopleSoft Human Resources Management System (HRMS), in the 'OA Type' field.

If an appointment is not extended, please submit a separation report for the expired appointment.

DHR Contacts

Please contact Ellen Gunselman in DHR's EEO Division at 557-4832 about provisional appointments. Contact the DHR Referral Unit about other temporary appointments. Temporary appointments that expire and are not extended will be deemed to be invalid.

For further information, call your department's contact in the Department of Human Resources:

Appointments:	HR Services Group, EEO
Requisitions:	MSS, HR Services Group
Separations:	HR Services Group
MOU Provisions:	Employee Relations Division

File: DHR EEO Extension of PV Appts

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 32-03

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DATE: December 1, 2003

TO: Appointing Officers
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: *Update on Implementation of the Early Retirement Program*

By this memorandum, the Department of Human Resources is providing you with an update on the implementation of the Early Retirement Program, formerly known as Proposition F. Over the past several months, DHR has been working closely with the Mayor's Office, Controller's Office, Retirement System, and the City Attorney's Office to develop an implementation plan for this important program. Development of the implementation plan has involved consideration of retrospective and prospective application of the program to affected employees.

In addition, the Charter language allows the San Francisco Unified School District and the Community College District to participate in the program. We have been in contact with the districts to inquire about their decision whether or not to participate in the program. Allowing for the districts' response requires that the implementation date be postponed to January 1, 2004. We will send an implementation bulletin to each department prior to January 1, 2004.

We appreciate your input and patience during the development and implementation process. Please do not hesitate to contact Melissa Tucker at 557-4849 or Ted Yamasaki at 557-4815 with any questions or concerns you may have regarding this program.

AG:MT:aaz

cc: Clare Murphy, Retirement System
Linda Ross, City Attorney's
Ben Rosenfield, Mayor's Office
Melissa Tucker, DHR
Kerry Ko, DHR
Ted Yamasaki, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 33-03

DOCUMENTS DEPT.
DEC 0 8 2003
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DATE: December 4, 2003

TO: Departmental Personnel Officers and Analysts
Personnel and Payroll Staff

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Training Schedule for Unemployment Insurance Program**

Administrative Services has arranged for UCeXpress, the City's third party administrator for unemployment insurance, to conduct two (2) training sessions on unemployment insurance for personnel and payroll staff. The training will review:

- roles of the City and UCeXpress,
- procedures for processing unemployment claims,
- basics of unemployment insurance,
- guidelines for documentation,
- preparation for an unemployment insurance hearing,
- importance and access of web-based Claims Activity Reports, and
- how to report separations to UCeXpress.

Personnel, payroll and clerical staff who complete unemployment insurance claim forms and/or attend hearings are encouraged to attend one of the following sessions:

Date: Monday, January 12, 2004
Location: 44 Gough Street, Learning Center, 1st floor, Rooms 105 & 106
Time: 9:30 a.m.

OR

Date: Thursday, January 22, 2004
Location: 44 Gough Street, Learning Center, 1st floor, Rooms 105 & 106
Time: 1:30 p.m.

Please be prompt. Training will begin on time. Registration will be 15 minutes before the training starts.

E-mail or call Jonathan Nelly at 557-4829 to confirm the number of attendees from your department and the time attending. Your RSVP will help us provide adequate seating and handouts for all participants. If you have any questions about unemployment insurance claims, please contact Administrative Services.

AG:MT:aaz

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 34-03

DOCUMENTS DEPT
JAN - 5 2004
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DATE: December 30, 2003

TO: All Appointing Officers
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Notice of Employees' Rights & Responsibilities Under Whistleblower Laws

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The existing whistleblower law prohibits employers from preventing an employee from disclosing violations of a state or federal statute, or a violation or noncompliance with a state or federal regulation to a government or law enforcement agency, or from retaliating against an employee who makes a disclosure. It makes a violation punishable as a misdemeanor.

The new law, introduced by Senator Escutia, (SB 777) codified amendments to Sections 1102.5 and 1106, and adds Sections 1102.6, 1102.7, 1102.8, and 1102.9 to the Labor Code, relating to whistleblowers. Effective January 1, 2004, the law extends protections to employees who report a violation of a state or federal rule, who refuse to participate in an activity that would result in a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation, or who exercised these rights in former employment.

The law prohibits an employer from retaliating against an employee for exercising any of these rights, including those provided under existing law, would add an additional civil penalty for violations, and establishes the evidentiary burdens of the parties participating in a civil action or administrative hearing involving an alleged violation. The law also establishes a "whistleblower hotline" within the office of the Attorney General to receive telephone reports of violations of state or federal statutes, rules, or regulations, or fiduciary responsibilities, by an employer. The law requires the Attorney General to refer calls received on this hotline to the appropriate government authority, as specified.

In addition, the law requires an employer to display, as specified, a list of an employee's rights under whistleblower laws, including the telephone number of the Attorney General's hotline number. To that end, I have enclosed a posting of the "Notice of Employees' Rights and Responsibilities under Whistleblower Laws. **You are required to post this notice.**

Thank you for your prompt assistance with this important matter.

Enclosure

AG/TY:az

IMPORTANT POSTING

NOTICE OF EMPLOYEES' RIGHTS & RESPONSIBILITIES UNDER WHISTLEBLOWER LAWS

(California Labor Code Sections 1102.5, et seq.)

1102.5. (a) An employer may not make, adopt, or enforce any rule, regulation, or policy preventing an employee from disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

(b) An employer may not retaliate against an employee for disclosing information to a government or law enforcement agency, where the employee has reasonable cause to believe that the information discloses a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

(c) An employer may not retaliate against an employee for refusing to participate in an activity that would result in a violation of state or federal statute, or a violation or noncompliance with a state or federal rule or regulation.

(d) An employer may not retaliate against an employee for having exercised his or her rights under subdivision (a), (b), or (c) in any former employment.

(e) A report made by an employee of a government agency to his or her employer is a disclosure of information to a government or law enforcement agency pursuant to subdivisions (a) and (b).

(f) In addition to other penalties, an employer that is a corporation or limited liability company is liable for a civil penalty not exceeding ten thousand dollars ($10,000) for each violation of this section.

(g) This section does not apply to rules, regulations, or policies which implement, or to actions by employers against employees who violate, the confidentiality of the lawyer-client privilege, the physician-patient privilege, or trade secret information.

1102.7. (a) The office of the Attorney General shall maintain a whistleblower hotline to receive calls from persons who have information regarding possible violations of state or federal statutes, rules, or regulations, or violations of fiduciary responsibility by a corporation or limited liability company to its shareholders, investors, or employees.

(b) The Attorney General shall refer calls received on the whistleblower hotline to the appropriate government authority for

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 01-04

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DATE: January 16, 2004

TO: Departmental Personnel Officers
Personnel and Payroll Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Validated Appointment Processing Documents and Separation Reports

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Since the implementation of the Department of Human Resources' PeopleSoft (PS) System in 1999, you have become familiar and proficient with utilizing the PS system as a business tool for personnel requisition processing and as the system of record for employment data. Equally important, you and your staff have gained immediate access to HR data through the system's queries, line records, and PS codes that compliments your day-to-day requirement for official information.

In the interest of aligning manual transactions with the PS system enhancements, the Department of Human Resources HR Services – Referral Unit will no longer return copies of the validated Appointing Processing documents and processed Separation Reports to the issuing departments.

Therefore, departments should submit one (1) signed original document of the Appointment Processing and Separation Reports to DHR HR Services – Referral Unit, when processing appointments and separations.

To support this change, two (2) queries have been developed. These queries are designed to enable departments to quickly verify the appointment and/or separation entries made in the PeopleSoft system for their respective departments, between specific dates of choice. The queries are as follows:

NAME OF QUERIES	DESCRIPTION
SF_NEW_APPOINTMENTS_1 DEPT	From A Specific Date
SF_SEPARATED_EE_ONE_DEPT	With Date Range Prompt

After opening the query, you will be prompted to select the range of dates for which you want to see data and the three letter name of your department.

Also, by highlighting the name of the query and clicking the right button of your mouse, you can run the query to an Excel file for easy sorting of the data.

Please note that the *SF_SEPARATED_EE_ONE_DEPT* query will only capture employees who have completely separated from City service. Separations due to promotions or demotions will not appear on this query as their official employment data is now residing with the employee's new department.

If you have any questions, please contact the DHR HR Services – Referral Unit:
Mauricio Martinez at (415) 557- 4846 or Pat Pon at (415) 557- 4816.

PP:aaz

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 02-04

DOCUMENTS DEPT
FEB 10 2004
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DATE: February 5, 2004

TO: Department Heads
Department Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Citywide Implementation of On Line Application Filing System

The Department of Human Resources is pleased to announce the implementation of an on-line (electronic) application filing service, through GovernmentJobs.com, for permanent civil service examinations. On October 10, 2003, the Department of Human Resources placed all civil service examination announcements on GovernmentJobs.com and began accepting applications on line for several examinations. We are now ready to implement this service citywide through City departments that have Decentralized Examination & Classification Units.

What is GovernmentJobs.Com?

GovernmentJobs.Com is a job search engine for the public sector. In addition to providing the public with the convenience of applying on line, this new capability expands the applicant base for the City and County of San Francisco, giving our city greater opportunities to attract and hire highly qualified individuals.

The Department of Human Resources will provide a demonstration of the system on the following dates and times:

Thursday, February 19, 2004, at 2:00 PM
Friday, February 20, 2004 at 10:00

The demonstrations will be presented at:
44 Gough Street,
3rd Floor Conference Rooms A & B.

To reserve space at the demonstration, please contact Eileen Lee at Eileen.Lee@sfgov.org or (415) 557-4908. Please feel free, also, to access and view San Francisco's site yourself at: http://agency.governmentjobs.com/sf/default.cfm?action=jobs.

Benefits of the System

Through online application filing, the City and County of San Francisco will offer enhanced service to the public. Job seekers who conduct their job searches on line will now have the added ability to submit electronic applications for most examination announcements for permanent Civil Service jobs with San Francisco. Job seekers will be informed of the availability of electronic filing of applications when they click on the title of the examination announcement. If the job seeker chooses to submit the application on line, the system will lead the job seeker through a series of steps to complete and submit the electronic application. Once the job seeker completes a single application, he/she can very easily submit the application electronically for any job that is advertised on GovernmentJobs.Com. The system also allows the job seeker to update the application as necessary.

In addition to expanding the applicant base for the City and County of San Francisco, the system allows the City to download applicant information directly from the electronic application into our applicant-tracking database. Analysts can also view and track applications on line and as they are being submitted.

Personnel analysts and others who use the tools that currently exist on the City's website will notice that they are able to connect to information on GovernmentJobs.Com very easily. Announcements for Civil Service examinations can still be accessed through the City's website at http://www.sfgov.org and the DHR web page at http://www.sfgov.org/site/dhr_index.asp . The City's class specifications, which are now housed on GovernmentJobs.Com also, can still be accessed through the Searchable Classification, Compensation and Collective Bargaining Agreement database that exists on DHR web page at http://www.sfgov.org/site/dhr_index.asp .

Plans for Citywide Implementation

The Department of Human Resources began conducting training and business-practice sessions with members of a few Decentralized Examination & Classification Units in August 2003, and has been working with the system to fully understand its capabilities, limitations and idiosyncrasies. DHR will begin granting access first to the decentralized exam analysts who participated in the business-practice sessions, then methodically train and grant access to other decentralized exam analysts until all Decentralized Examination & Classification Units have access. Access to the site will enable the decentralized exam office to accept electronic applications for permanent Civil Service examinations that they are administering.

To establish a decentralized examination unit within your department, please contact Ms. Denise Cannonier-Craig at Denise.G.Cannonier-Craig@sfgov.org or (415) 551-8910.

Acknowledgements

The Department of Human Resources wishes to acknowledge and thank the following departments that contributed staff and other resources to the Department of Human Resources to make this endeavor a success: Telecommunications and Information Systems, Human Services, Sheriff, Emergency Communications, Public Works, Public Health, Controller and the Public Utilities Commission.

I look forward to the full implementation of the on-line application system, and to our continued work with decentralized offices to modernize our systems and business practices.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No.: 04-04

DOCUMENTS DEPT.
FEB 19 2004
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DATE: February 17, 2004

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Substitution of MCCP Job Codes in Fiscal Year 2004-2005 Budget

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To date, the Department of Human Resources has posted official classification notices allocating approximately 700 MEA-represented positions into the new Management Classification and Compensation Plan (MCCP).

The specific MCCP job codes include:

0961-Department Head I	0951-Deputy Director I	0922-Manager I
0962-Department Head II	0952-Deputy Director II	0923-Manager II
0963-Department Head III	0953-Deputy Director III	0931-Manager III
0964-Department Head IV	0954-Deputy Director IV	0932-Manager IV
0965-Department Head V	0955-Deputy Director V	0933-Manager V
		0941-Manager VI
		0942-Manager VII
		0943-Manager VIII

Some departments have inquired as to how these newly allocated positions should appear in the budget for the new fiscal year. The Mayor's Office has informed us that departments need take no action. The Mayor's Office will load the correct allocation information into the budget system.

If you have any questions regarding a specific classification posting, please contact Valerie Aguilar at 557-4923. Questions regarding the MCCP classification audit process should be addressed to DHR-MCCP@sfgov.org.

AG/MS/va

cc: Ben Rosenfield, Mayor's Office
Ed Harrington, Controller

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR. No. 05 - 04

DOCUMENTS DEPT.
MAR - 5 2004
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Date: March 3, 2004

To: Department Heads
Personnel Officers

Through: Andrea R. Gourdine
Human Resources Director

From: Alice Villagomez, Deputy Director
Employee Relations Division

Subject: **NOTICE TO UNREPRESENTED EMPLOYEES**

The Employee Relations Division of the Department of Human Resources has scheduled two meetings to meet and confer pursuant to Charter Section A8.409.1. In order to provide notification for affected unrepresented employees, the attached memorandum is being forwarded to your office for immediate posting. Please post this Notice (attached memorandum) in locations accessible to affected unrepresented employees. Additionally, please ensure posting at applicable worksites.

For additional information, you may contact Janet Rogers at 557-4915. Thank you for your assistance and prompt attention to this request.

Attachment

H:\WordDoc\04 Negotiations Unreps\Unreps Mtg Notice to Depts.04.doc

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO

Andrea R. Gourdine, Human Resources Director

MEMORANDUM

Date: March 3, 2004

To: Unrepresented Employees Covered under Ordinance No. 102-03

Through: Alice Villagomez, Deputy Director
Employee Relations Division

From: Janet L. Rogers, Employee Relations Representative
Employee Relations Division

Subject: **NOTICE TO MEET & CONFER PURSUANT TO CHARTER SECTION A8.409.1**

Employees in classifications not represented by a recognized employee organization are entitled to represent themselves with the City and County over wages, hours and other terms and conditions of employment to the extent required by state law and shall not be subject to the arbitration provisions of Section A8.409.4 of the Charter.

For those unrepresented employees covered under the current unrepresented ordinance (102-03) for FY 2003-2004, two meetings have been scheduled to consider forms of compensation including salaries, hours, benefits, and other terms and conditions of employment subject to approval or disapproval of the Board of Supervisors pursuant to Section A8.409.1 of the Charter.

The following dates and times have been reserved to meet with those noted, designated unrepresented employees who wish to meet and confer regarding the proposed forms of compensation specified above.

Date/Time: Wednesday, March 17, 2004 – 11:45 a.m.

AND

Tuesday, March 30, 2004 – 11:45 a.m.

Location: Office of the Employee Relations Division
Department of Human Resources
44 Gough Street, 3rd Floor
San Francisco, CA 94103

For additional information, you may contact Janet Rogers at (415) 557-4915.

Attachment

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Attachment A

LIST OF UNREPRESENTED JOB CODES PURSUANT TO CHARTER SECTION A8.409.1.

PLEASE NOTE: This list is based on information available at the time of distribution and is intended to be comprehensive. Questions or concerns about this list (including contentions that the list contains any inaccuracies) may be directed to Janet Rogers, Employee Relations Representative, Employee Relations Division, 44 Gough Street, San Francisco, CA 94103.

001 = Miscellaneous Unrepresented Job Codes
002 = Management Unrepresented Job Codes

JOB CODE	TITLE	
1229	Special Examiner	001
1942	Asst Materials Coordinator	001
2561	Optometrist	001
2576	Sprv Clincal Psychologist	001
2782	Laundry Superintendent	001
2966	Welfare Fraud Investigator	001
2967	Sup Welfare Fraud Investigator	001
3238	Dance Instructor	001
3246	Pianist	001
3438	Arborist Technician Supv II	001
3650	Medical Records Librarian	001
5502	Project Manager 1	001
5504	Project Manager 2	001
5506	Project Manager 3	001
8168	Parking Hearing Supervisor	001
8229	Assoc Dir of Museum Sec Svcs	001
8247	Emergency Planning Coordinator	001
8259	Criminalist I	001
8263	Crime Lab Mgr	001
8282	Sr Environ Control Off	001
8446	Court Alternative Specialist 1	001
9914	Public Service Aide-Admin	001
9916	Public Svc Aide-Public Works	001
9920	Publ Svc Aide-Asst to Prof	001
9922	PS Aide to Prof	001
AB27	Sctry, Comm on the Environment	001

AC34	Project Analyst	001
AC35	Bd/Comm Secretary 3	001
AC41	Operations Program Associate	001
AC42	Grants Finance Associate	001
AC43	Grants Associate	001
AC44	Grant Funding Prgrm Associate	001
AC45	CIP Outreach Coordinator	001
0881	Mayoral Staff I	002
0882	Mayoral Staff II	002
0883	Mayoral Staff III	002
0884	Mayoral Staff IV	002
0885	Mayoral Staff V	002
0886	Mayoral Staff VI	002
0887	Mayoral Staff VII	002
0888	Mayoral Staff VIII	002
0889	Mayoral Staff IX	002
0890	Mayoral Staff X	002
0891	Mayoral Staff XI	002
0892	Mayoral Staff XII	002
0901	Mayoral Staff XIII	002
0902	Mayoral Staff XIV	002
0903	Mayoral Staff XV	002
0904	Mayoral Staff XVI	002
0905	Mayoral Staff XVII	002
1283	Dir Emp Relations Div	002
1293	Human Resources Director	002
1849	Prog Mgr, Bus & Econ Develop	002
2953	Chief Deputy Director, DHS	002
3234	Marina Manager	002
5508	Project Manager 4	002
5646	Environ Program Mgr I	002
8137	Chf Victim/Witness Invstgtor	002
9251	Public Relations Mgr	002
A006	Parking Bureau Chief	002
AB44	Cfdntal Chf Atty 2,(Cvl&Crmnl)	002
AC27	Dir. of Airfield Development	002
AC37	Principal Area Manager	002
AC38	Assistant Superintendent, Rec	002
AC39	Manager, Marina Operations	002

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No.: 06-04

DOCUMENTS DEPT.
MAR - 3 2004
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DATE: March 2, 2004

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Procedures for Issuing Provisional and Exempt Announcements for MCCP Job Codes**

To assure consistency in the application of negotiated agreements regarding the use of the new MCCP job codes it is important for all departments to follow the attached **MCCP Uniform Procedures Guidelines for issuing Provisional and Exempt announcements** to fill vacancies in MCCP job codes. Information on procedures required to issue permanent MCCP announcements will be forwarded to you at a later date.

DHR appreciates your assistance in assuring the appropriate consistency in the issuance of these announcements.

If you have any questions when issuing MCCP job code announcements, please contact the MCCP Implementation Team at 415 557-4863.

MCCP Uniform Procedures Guidelines for Issuing Provisional and Exempt announcements

1. The Department of Human Resources must approve the draft of any MCCP announcement prior to issuance of the announcement.

2. The annual salary range is always $ (Annual Range "A" minimum) to $ (Annual Range "C" maximum).

3. The requisition should be noted with the MCCP file number in the notes section. This number may be obtained from the MCCP Implementation team.

4. Certain standard language is required on all announcements (see table below).

The following standard language is required as indicated in the table below:

	Department Heads (0961 – 0965) and Deputy Directors (0951 – 0955)	**Managers (0922 – 0943)**
Compensation and Benefits Section	In addition to competitive salaries, the City offers flexible benefit plans with pre-tax elections which include: medical and dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-term Disability Plan; Life Insurance; paid Management Training program; 11 paid holidays per year; 10 floating holidays; 10 to 20 vacation days per year, depending on years of service; and 5 days of paid executive leave per year.	In addition to competitive salaries, the City offers flexible benefit plans with pre-tax elections which include: medical and dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-term Disability Plan; Life Insurance; paid Management Training program; 11 paid holidays per year; 10 floating holidays; 10 to 20 vacation days per year, depending on years of service; and may earn up to 100 hours paid administrative leave per year.
Notes Section **(Add to ALL announcements after compensation and benefits section)**	The normal annual salary range is $ (Annual Range "A" minimum) to $ (Annual Range "A" maximum). Appointments above the maximum of the normal range $ (Annual Range "A" minimum to $ (Annual Range "A" maximum) may be considered based on documented and substantiated recruitment and retention issues or exceptional skills. A special approval process is necessary for appointment above the normal salary range.	

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 07-04

DOCUMENTS DEPT
MAR 12 2004
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DATE: March 5, 2004

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea Gourdine
Human Resources Director

SUBJECT: ***Departmental Audit of Approved Available Requisitions and Requests for Requisition Cancellation***

Departments are reminded of their responsibility to perform audits of their approved and available requisitions in the PeopleSoft system.

All departments have been provided with on-line access to the PeopleSoft system. As such, it will be the responsibility of the departments to audit their approved and available open requisitions.

Please be advised that the Department of Human Resources Layoff Processing Team will identify, as necessary, all approved and available requisitions for return to duty placements of holdovers. These identified requisitions will be "held" for placement. To that end, departmental personnel staff are encouraged to regularly audit the system to immediately identify and cancel any approved and available requisitions that are targeted for elimination or defunding.

Requisition Cancellation Procedure:
A requisition may be cancelled for a number of reasons, including, but not limited to, funding problems, failure of an anticipated vacancy to materialize, departmental reorganization, etc. These requests are routinely approved unless a certification from an eligible list or holdover list had been made.

I. **Cancellation of a requisition (not under certification from an eligible list or holdover roster)**

A. The requesting department must complete and submit a Requisition Modification Form.

II. **Cancellation of a requisition under certification from an eligible list or holdover roster.**

The Department of Human Resources will not typically cancel requisitions that are under certification. However, extraordinary circumstances as presented by the requesting department will be reviewed on a case-by-case basis.

A. The requesting department must complete and submit a Requisition Modification Form.
B. The requesting department must submit a memo from the finance/budget representative indicating an immediate "lack of funds" available to support the position.

Departments should submit all requisition modification and related financial documentation to substantiate the cancellation request to the DHR HR Services, Attention: Patricia Pon, Referral and Support Services Manager, 44 Gough Street, San Francisco 94103.

We strongly encourage departments to complete an audit of their approved and available requisitions as a means to ensuring and maintaining accurate internal records, as well as the basis to avoid possible placement-related difficulties.

For questions or other information, you may contact:

Patricia Pon, HR Services Group, 557-4816
Lucy Palileo, HR Services Group, 557-4883

TY:aaz

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea A. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 08-04

DATE: March 5, 2004

TO: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

FROM: Andrea Gourdine
Human Resources Director

SUBJECT: ***Audit of Departmental Seniority Rosters***

Departments are reminded of their responsibility to perform audits of their departmental seniority rosters.

All departments have been provided with on-line access to the PeopleSoft system. As such, it will be the responsibility of the departments to retrieve their seniority reports from the system and audit the accuracy of the data.

Seniority rosters may be retrieved from a preprogrammed query in the system. The names of the preprogrammed queries available to departments include:

- SENIORITY_DP_SEC_1_DEPT
  This query will produce the seniority report for the entire department

- SENIORITY_DP_SEC_1_DEPT_1_JON
  This query will produce the seniority for one job code within the department.

- SENIORITY_DP_SEC_1_DEPT_EOL
  This query will produce the seniority roster; along with any special condition(s) on the employee's requisition.

- SENIORITY_DP_SEC_1_DEPT_1_JOB_EOL
  This query will produce the seniority for one job code within the department, along with any special conditions on the employee's requisition.

Please remember that all queries can be run to an Excel spreadsheet, for easier sorting of the data by the department.

AUDIT CRITERIA:

In performing the annual audit, it is critical to verify the following:

1) The employee's name and social security number are correct
2) All active employees **(including employees on leave)** are listed on the roster;
3) The roster does not include separated employees;
4) Both the department and DHR requisition numbers are correct (especially if there has been a reassignment) and the appropriate special condition(s), if any, are listed or removed;
5) The employee's appointment status is correct;
6) All Special Conditions on requisitions are current and appropriate;
7) The employee's work schedule is correct
8) Both the city-wide and departmental seniority dates are correct;
9) The rank number is correct for PCS employees.

Departments should submit all documentation to substantiate any recommended corrections that are requested. Documentation may include: Copies of appointment processing forms, separation reports, referral/certification documents, etc. Copies of the PAR are not acceptable as documentation. The HR Services Group will review the documentation and make the correction in the system, if appropriate.

We strongly encourage departments to complete this audit as a means to ensuring and maintaining accurate internal records, as well as the basis of documentation to resolve discrepancies between PeopleSoft and departmental records.

For questions or other information, you may contact:

Seniority Rights, Appointment Status:	Patricia Pon, HR Services Group, 557-4816 Lucy Palileo, HR Services Group, 557-4843
Special Conditions:	Merit System Services
Documentation for corrections:	Patricia Pon, HR Services Group, 557-4816
PeopleSoft Queries:	IS Hotline, 557-4817

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 09-04

DOCUMENTS DEPT.
MAR 16 2004
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DATE: March 9, 2004

TO: Department Heads
Departmental Personnel Officers

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Updated Family and Medical Leave Act (FMLA) Policy and Procedures**

The Department of Human Resources in coordination with the City Attorney's Office has updated the citywide Family and Medical Leave Act (FMLA) Policy and Procedures. The updated packet, including the FMLA Policy and Procedures, checklists, and forms, is attached. The updated policy and forms are effective March 8, 2004.

The major update to the policy comes as a result of a recent arbitration award. The citywide FMLA policy no longer mandates that an employee on approved FMLA must use accrued vacation time to cover his or her absence. Departments are encouraged to review appropriate memorandum of understandings for specific guidance on vacation use for employees during a family and medical leave.

For your convenience, the attached package may be reproduced for distribution. Electronic copies of the documents are available on-line at the department's website.

For further information, please do not hesitate to call Lucy J Palileo, HR Services Unit Group at 557-4883 or Gina Roccanova, Deputy City Attorney.

Attachments

cc: HR Services Team
Gina Roccanova, DCA

CITY AND COUNTY OF SAN FRANCISCO

FAMILY AND MEDICAL LEAVE ACT

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CITY AND COUNTY OF SAN FRANCISCO

FAMILY AND MEDICAL LEAVE ACT POLICY AND PROCEDURES

I. STATEMENT OF POLICY

The City and County of San Francisco ("City") will provide family care and medical leave for eligible employees as required by applicable State and Federal law. The following provisions set forth certain rights and obligations with respect to such leave. Rights and obligations which are not specifically set forth below are set forth in the Department of Labor regulations implementing the Federal Family and Medical Leave Act ("FMLA") of 1993 and the regulations of the California Family Rights Act ("CFRA").[1]

II. FMLA LEAVE DEFINED

This document refers throughout to FMLA Leave. All such references are meant to include leave covered by the federal Family and Medical Leave Act (FMLA) and the California Family Rights Act (CFRA).

The FMLA allows eligible employees to take job-protected, unpaid leave, or to substitute appropriate paid leave if the employee has earned or accrued it, for up to a total of 12 workweeks (480 hours) in any 12 months because of the birth of a child and to care for the newborn child, because of the placement of a child with the employee for adoption or foster care, because the employee is needed to care for a family member (child, spouse/domestic partner or parent) with a serious health condition, or because the employee's own serious health condition makes the employee unable to perform the functions of his/her job.

The City also provides additional family care related benefits not required by federal or state laws as set forth in Civil Service Rule 20.33, Family Care Leave.

III. APPLYING FOR AN FMLA LEAVE

A. Who is Eligible?

1. Employment Requirements:

   Full-time and part-time employees who have been employed (i.e., on the payroll) by the City for twelve (12) months or more and who have actually worked at least 1,250 hours (including overtime hours) during the 12-month period immediately

[1] All references to the FMLA in this document incorporate the CFRA.

preceding commencement of leave are eligible for FMLA Leave. (Hours taken as sick pay, vacation, or any other type of leave shall not constitute hours worked.)

2. Qualifying Medical Circumstances:

Eligible employees may apply for FMLA Leave under the following circumstances:

(a) For the birth of the employee's child and to care for that child;

(b) For the placement of a child with the employee in connection with the adoption or foster care of that child and to care for that child;

(c) For the care of the employee's spouse/domestic partner, son, daughter, or parent with a serious health condition; or

(d) Due to the employee's own serious health condition that makes the employee unable to perform the functions of his/her job.

"Serious health condition," as defined in accordance with Federal and State regulations, means an illness, injury (includes on-the-job injuries or illness), impairment, or physical or mental condition [of the employee or a child, parent, spouse/domestic partner of the employee] that involves one of the following:

(1) inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential health care facility, or any period of incapacity (i.e., inability to work due to the serious health condition), or

(2) continuing treatment or continuing supervision by a health care provider, as detailed in FMLA and its implementing regulations. (Please see §825.114 of the FMLA a copy of which is attached.)

3. Family Member definitions:

(a) "Spouse" means a husband or wife as defined or recognized under State law for purposes of marriage. A "registered domestic partner" is the equivalent of spouse under the City policy.

(b) "Parent" means a biological parent, or an individual who stood in as a parent to an employee when the employee was a son or daughter as defined below. "Parent" does not include a parent "in-law".

(c) "Son" or "daughter" means a biological, adopted, or foster child, a step child, a legal ward, or a child of a person who stands in as a parent, who is under 18, or who is over 18 but is incapable of self-care due to a mental or physical disability.

B. Procedure For Requesting FMLA Leave

1. Giving notice to the City

Although the City recognizes that emergencies arise which may require an employee to request immediate leave, an employee is required to give as much notice as possible of his/her need for leave. The City will designate and record as FMLA Leave any leave that qualifies as FMLA Leave, even if the employee does not specifically request FMLA Leave.

(a) *Where Leave is Foreseeable*

If the need for leave is foreseeable, an employee must provide the Appointing Officer with written notice at least 30 days prior to the commencement of leave. Examples of situations requiring 30 day advance notice include an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or the employee's family members. If an employee knows that he/she will need leave in the future, but does not know the exact date(s), the employee must inform his/her supervisor as soon as possible when such leave will be needed. "As soon as possible" ordinarily would mean at least verbal notification to the Appointing Officer within one or two business days of when the need for leave becomes known to the employee.

(b) *Where Leave is Not Foreseeable:*

If the need for leave is not foreseeable, or 30 days notice is not possible, notice must be given to the Appointing Officer as soon as practicable, generally within two working days of learning of the need for leave, except in extraordinary circumstances where such notice is impossible. Such notice shall be given orally or in writing.

2. Forms Required to be Submitted to the City

(a) *Employee Request for Family and Medical Leave Form*:

Although an employee may initially make his/her request orally, he/she must submit a request to his/her supervisor for FMLA Leave on the Employee Request for Family and Medical Leave (DHR #FMLA 1A) form as soon as practicable.

Such written request shall set forth whether the leave is requested because of the employee's own serious health condition, a family member's serious health condition, or the birth, adoption or placement of a child, the anticipated start date of the leave, and the anticipated duration of the leave.

(b) *FMLA Medical Certification of Health Care Provider Form:*

An employee taking leave because of his/her own or a family member's serious health condition must submit a Certification of Health Care Provider (DHR #FMLA 2) form completed by a health care provider if the leave exceeds five (5) consecutive calendar days or if a reduced scheduled leave or intermittent leave is needed. The procedures pertaining to the submission of these forms are set forth in section C. The Need for Medical Certifications.

3. Requests to Extend FMLA Leave:

An employee requesting a leave extension must do so in writing, at least two business days prior to the end of his/her scheduled leave. Failure by an employee to provide such advance notice could delay the granting of the leave extension.

4. Effect of a Failure to Provide Adequate Notice:

(a) *Failing to provide notice of a Foreseeable Leave*:

If an employee fails to give 30 days notice for foreseeable leave, with no reasonable excuse for the delay, the City may delay the taking of FMLA Leave for a period of 30 days after the employee provides notice of the need for FMLA Leave.

(b) *Failing to provide notice until after returning to work*:

The City may retroactively designate leave as FMLA Leave after the employee has returned to work only if the employee notifies the City within two business days of returning to work that a leave was for FMLA reasons. If FMLA Leave is not requested within two days of returning to work, the employee may not subsequently assert FMLA protections for the absences.

5. City's Response to Request for FMLA Leave:

(a) *Notice given in advance of an FMLA Leave*

Where leave form is received in advance of the leave, once the City has notice of an employee' s qualifying reason for leave or request for leave, the City will notify the employee in writing within two business days whether the leave has been designated and will count against the employee's entitlement to FMLA Leave.

(b) *Notice given after the FMLA Leave has begun*

Where leave form is received after the leave has started, to the extent that the leave period qualified as FMLA Leave, the City may retroactively designate the entire, or some portion of the leave as FMLA Leave

(c) *Notice of an FMLA Leave and reasons for employee's absence learned after returning to work*

If an employee was absent for an FMLA reason and the City did not learn the reason for the absence until the employee's return to work, the City may retroactively designate the leave as FMLA leave only within two business days of the employee's return to work (with appropriate notice to the employee).

(d) *Preliminary Designation of FMLA Leave*

If the City knows the reason for the leave but has not been able to confirm that the leave qualifies under FMLA, or where the City has requested a Certification of Health Care Provider form which has not yet been received, or the parties are in the process of obtaining a second or third medical opinion, the City should make a preliminary designation of FMLA Leave, and so notify the employee at the time leave begins, or as soon as the reason for the leave becomes known. Upon receipt of the Certification of Health Care Provider form, the preliminary designation will become final. If the Certification of Heath Care Provider form fails to confirm that the reason for the absence was an FMLA reason, the City must withdraw the designation, with written notice to the employee.

6. Abridgement of FMLA Leave

Abridgement of FMLA Leave during the time period requested requires the approval of the appointing officer.

C. **The Need for Medical Certifications**

1. Who must provide a Certification of Health Care Provider form:

An employee who requests FMLA Leave because of his/her own serious health condition or to care for a family member with a serious health condition must submit a written Certification of Health Care Provider form from a health care provider to support the leave request.

A health care provider is defined as a doctor of medicine or osteopathy authorized by the State of California to practice medicine or surgery (as appropriate) or a podiatrist, dentist, clinical psychologist, optometrist, or chiropractor (limited to treatment consisting of manual manipulation of the spine to correct a subluxation as demonstrated by x-ray to exist) authorized to practice in California and performing within the scope of their practice as defined under State law, nurse practitioners and clinical social workers performing within the scope of their practice as defined by State law, and Christian Science practitioners who are authorized to practice under state law and who are listed with the First Church of Christ, Scientists in Boston, Massachusetts.

2. When must the Certification of Health Care Provider form be provided:

When the leave is foreseeable and at least 30 days notice has been provided, the employee must provide a Certification of Health Care Provider form before beginning the leave. When this is not possible, the employee must provide the requested Certification of Health Care Provider form within 15 calendar days of the City's request, unless it is not practicable to do so despite the employee's diligent, good faith efforts. For pregnancy, chronic, or permanent, long-term conditions under continuing supervision of a health care provider, the City may request recertification no more often than every thirty (30) days and only in connection with an absence, unless: a) the frequency or duration of absences has changed; b) the severity of the condition or complication has changed; or c) the City receives information that casts doubt upon the employee's stated reason for the absence.

For FMLA Leave taken intermittently or on a reduced leave schedule basis, or when the minimum duration of a period of incapacity is more than thirty (30) days, the City may not request recertification in less than the minimum period specified on the certification unless: a) the employee requests an extension of the leave; b) circumstances described by the previous certification have changed significantly; or c) the employer receives information that casts doubt upon the continuing validity of the certification.

Any recertification requested by the City is at the employee's expense. No second or third opinion on recertification may be required.

3. Additional medical information:

An Appointing Officer who has reason to doubt the validity of the initial Certification of Health Care Provider form of a "serious health condition" of an employee or of an employee's family member, or a Certification supporting an extension request, may, in accordance with established procedures, require a "second opinion". The Human Resources Director will designate a health care provider to furnish the second medical opinion. (The provider may not be employed on a regular basis by the City.)

In the case of conflicting medical opinions, a third opinion by a health care provider mutually agreed upon by the employee and the Appointing Officer shall be final and binding. Second or third opinions required by a department are provided at the City's expense.

In addition, as noted above, the City may request periodic medical updates by requiring the employee to submit Certification of Health Care Provider forms.

4. Effect of employee failure to provide a Certification of Health Care Provider form:

If the employee fails to submit a Certification of Health Care Provider form, the Appointing Officer may delay the continuation of FMLA Leave or may deny the request to designate the leave as FMLA Leave.

5. Medical documents for extension of leave:

All employees requesting a leave extension for a serious health condition must provide a Certification of Health Care Provider form of the need for continued leave. The City may also require periodic medical updates to support continuing leave.

D. Amount of FMLA Leave available

1. General entitlement

An eligible full-time employee is entitled to a maximum of twelve (12) workweeks (480 hours) of FMLA Leave within a rolling 12-month period. Generally, but with exceptions noted below, an FMLA Leave must be taken in one consecutive period of time. An employee's entitlement to leave will be calculated based upon a rolling 12-month period measured backwards from the date an employee requests any FMLA Leave. Each time an employee requests FMLA Leave, the remaining leave entitlement will consist of any balance of the twelve (12) workweeks (480 hours) which has not been used during the

immediately preceding twelve (12) months. An employee may request an amount of leave that would be calculated by measuring backwards twelve (12) months and deducting any amount of FMLA time that had been already designated from the 12 week entitlement.

If eligible, a part-time employee has a pro-rated entitlement.

2. Leave for the birth/adoption/foster care of a child:

Spouses/domestic partners who *both* work for the City are entitled to a combined total of twelve (12) weeks (480 hours) of leave in a 12-month period if the leave is used because of the birth of their child, adoption, or foster care placement of a child with them. Unmarried parents have separate entitlement, if individually qualified for an FMLA Leave.

Birth/Adoption/Foster care FMLA Leave entitlement expires at the end of the twelve (12) month period beginning on the date of the birth or placement of the child.

3. Intermittent leave/Reduced schedule leave:

FMLA Leave may be taken intermittently or on a reduced schedule leave under certain circumstances. A reduced schedule leave is a scheduled leave that reduces the employee's usual work hours per workweek, or hours per workday.

An employee may use FMLA Leave intermittently or on a reduced schedule leave when medically necessary for planned and/or unanticipated medical treatment of a serious health condition by or under the supervision of a health care provider, or for recovery from treatment or recovery from a serious health condition, or where the employee needs to provide care or psychological comfort to an immediate family member with a serious health condition. Intermittent leave is also available when a serious health condition requires periodic treatment by a health care provider, or when the employee or family member is incapacitated due to a chronic serious health condition even if there is no treatment by a health care provider.

An employee who requests an intermittent or reduced schedule leave due to a medical necessity must submit certification of the medical need from a health care provider, including (if applicable) the anticipated schedule for treatment. Employees who require intermittent FMLA Leave or a reduced schedule leave must attempt to schedule the leave so as not to disrupt the Department's operations. Discussions regarding the leave scheduling should take place prior to scheduling treatment (if required).

FMLA Leave for the birth, adoption, or foster care of a child must be concluded within one year of the birth, or placement of the child. When an employee uses leave for the care of a newborn or newly-placed child, he or she may do so intermittently or on a reduced schedule leave only if the Appointing Officer agrees.

If an employee takes an intermittent or reduced schedule leave, only the amount of leave actually taken is counted toward the twelve (12) week (480 hours) FMLA Leave entitlement. The smallest increment of leave that may be used is one hour. The employee completes the Intermittent Leave Verification (DHR #FMLA 1C) form.

At the sole discretion of the City, an employee who takes an intermittent or reduced schedule leave may be temporarily reassigned during the duration of the leave to another position in the same class within the Department with equivalent pay and benefits in order to better accommodate the leave. When the employee no longer needs to continue on leave and is able to return to full-time work, the employee will be placed in the same or equivalent position as the job he/she left when the leave commenced.

4. Leave requests in excess of twelve weeks (480 hours):

Leave requests in excess of twelve (12) weeks (480 hours) within a 12-month period shall be administered in accordance with existing City rules, policies and collective bargaining agreements.

E. Returning to Work Following an FMLA Leave

1. Medical certification required prior to return to work:

An employee returning from a FMLA Leave of more than five (5) calendar days taken because of his/her own serious health condition must provide medical certification from his/her health care provider of fitness to return to work with regard to the particular health condition that caused the employee's need for FMLA Leave. The employee's health care provider must complete the Fitness for Duty to Return From Leave Certification (DHR #FMLA 7). The cost of the certification shall be borne by the employee and the employee is not entitled to be paid for time spent obtaining the certificate, consistent with department policy. Failure to provide this certification may result in delay or denial of return to work.

Employees may be required to report periodically on their status and intent to return to work consistent with collective bargaining agreements or departmental policies. An employee's failure to do so may result in delays in returning to work.

2. Position upon returning from FMLA Leave:

Upon return from a FMLA Leave, an employee should be returned to the same position held prior to the leave or to one that is equivalent in pay, benefits, and working conditions, subject to certain exceptions. Some collective bargaining agreements may include Return-to-Work provisions allowing for temporary modified duty or other assignment that differs from the employee's regular job duties. An employee would not be entitled to return to the position if the employee would not otherwise have been employed at the time of the return to work. For example:

(a) If the employee would have been subject to lay-offs implemented pursuant to Civil Service Commission Rules or collective bargaining agreement during the leave period.

(b) If the employee was designated as a "key employee" with the review and approval of the Human Resources Director, and if the City notified the employee of this designation. (The employee might be denied return to work when the FMLA expired if such denial was necessary to prevent substantial and grievous economic injury to the City's operation. A "key employee" is limited to a salaried employee who is within the highest paid 10% of the workforce within 75 miles of the facility where employed).

3. Effect of failure to return from leave:

If the employee fails to return to work at the end of the designated leave period and also fails to receive an authorized extension of that leave as specified above, the employee shall be marked absent without leave (AWOL) and after 5 days may be separated via automatic resignation consistent with procedures under Civil Service Rules or applicable MOUs or collective bargaining agreements.

F. FMLA: Paid or Unpaid Leave

1. Paid leave for an employee's serious medical condition:

Except for authorized Workers' Compensation leave or pregnancy disability leave, an employee who uses FMLA Leave for his/her own serious health condition or for the serious health condition of a child, spouse, domestic partner, or parent must concurrently use his/her accrued sick leave to pay for his/her time off. Check if provisions of current labor contracts allow the use of paid sick leave in other cases.

After paid sick leave has been exhausted, or if an employee cannot use sick leave, an employee may request to use his/her accrued vacation leave and floating holidays to cover his/her remaining FMLA leave.

"Comp-time" may not be used as a substitute for paid FMLA Leave. If an employee with a qualifying serious health condition receives State Disability Insurance (SDI) payments and supplements the SDI payments with "comp-time", only the non-supplemented time is counted towards his/her FMLA leave entitlement.

2. Effect of using paid leave:

The use of accrued sick leave or vacation leave during a FMLA Leave does not extend the duration of an employee's FMLA Leave entitlement.

Sick leave and vacation benefits (if applicable) will continue to accrue only during the paid portion of a FMLA Leave.

FMLA Leave shall not constitute a break in service for purposes of seniority. However, probationary periods may be extended based upon criteria set forth in Civil Service Rules, policies, MOUs or collective bargaining agreements.

3. Legal Holidays:

When an employee is not scheduled to work on a legal holiday that falls during an approved FMLA leave, that holiday is not counted as time used towards the total 12-week entitlement. However, if an employee is required to work on a legal holiday and takes intermittent or reduced schedule FMLA leave that day, that time off is counted toward the total 12-week entitlement.

G. Employee Benefits While On Leave

1. While on approved leave:

Leave under this policy is unpaid except when paid leave is substituted as set forth in section F. FMLA: Paid or Unpaid Leave. The City will maintain an eligible employee's group health, dental, vision, long-term disability and life insurance coverage (if applicable) during a FMLA Leave under the same conditions as coverage would have been provided if the employee had been actively at work. To maintain benefit coverage, the employee must continue to pay his/her share of premiums, if any, at the same rate as if he/she were on active status.

2. Effect on recovery of insurance benefit premiums when an employee fails to return from approved FMLA Leave:

If an employee does not return to work after the employee's FMLA Leave entitlement has been exhausted or expires, under 29 CFR Section 825.213, the City may require the employee to repay that portion of the insurance premiums paid by the City during the unpaid leave period, unless the reason the employee does not return to work is due to a serious health condition as defined in this policy or to other circumstances beyond the employee's control.

When an employee fails to return to work because of the continuation, recurrence, or onset of a serious health condition, thereby precluding the City from recovering its share of health benefit premiums, the City may require that the employee submit a Certification of Health Care Provider from within thirty (30) days of a request for such. If the employee fails to submit the form in a timely manner, or if the reason for not returning the form is not beyond the employee's control, the City may recover 100% of the health benefit premiums it paid during the period of unpaid FMLA Leave.

"Circumstances beyond the employee's control" include, but are not limited to: a) a parent chooses to stay home with a newborn child who has a serious health condition; b) a relative or individual other than an immediate family member has a serious health condition and the employee is needed to provide care; c) the employee is laid off while on leave. "Circumstances beyond the employee's control" would not include: a) an employee wants to remain with a parent in a distant city even though the parent no longer requires the employee's care; or b) a parent chooses not to return to work to stay home with a well, newborn child.

To the extent recovery is allowed, the City may recover costs through deductions from any sums due the employee (e.g., unpaid wages, vacation pay) provided such deductions do not otherwise violate applicable federal or state wage payment or other laws.

H. Relationship to Other Types of Leave

1. Workers' Compensation Leave:

An employee who sustains a work-related injury is eligible for a medical leave of absence in accordance with applicable law. The City will count an employee's Workers' Compensation absence against that employee's FMLA Leave entitlement if the employee suffered an on-the-job injury or illness that qualifies as a serious health condition. If the health care provider treating the Workers' Compensation

injury certifies that the industrially-injured employee is able to return to light duty work, he or she may decline such a position and remain on FMLA Leave until he or she is able to return to the same or equivalent job or until the 12-week (480 hours) FMLA Leave entitlement is exhausted. During this period, the City will substitute any accrued sick leave followed by vacation and floating holidays, to cover any unpaid portion of the leave. The decision not to return to light duty may also affect the employee's right to continued Workers' Compensation benefits.

2. Pregnancy Disability Leave:

Under California Law (Fair Employment and Housing Act (FEHA)), an employee disabled by pregnancy, childbirth or related medical conditions is entitled to a leave of absence up to four (4) months. The City may count an eligible employee's pregnancy disability leave against her FMLA entitlement as it is a serious health condition. However, an employee may be entitled to take, an additional 12-week CFRA Leave, for reason of the birth of her child. During the period of Pregnancy Disability Leave, there will be no substitution of paid leave, unless requested by the employee. Medical certification of the pregnancy disability is required.

I. Application of Attendance Policy

Any leave taken by an employee which qualifies as FMLA Leave will not be counted in determining whether an employee has excessively used sick leave under that employee's department's attendance policy.

J. Reference List of Federal And State Regulations

1. Family and Medical Leave Act of 1993 (FMLA): 29 U.S.C. §§ 2601 -2654, as implemented by 29 C.F.R. § 825 (effective April 6, 1995).

2. California Family Rights Act (CFRA), Cal. Gov't Code §12945.2, and Cal. Code Regs., Tit. 2: §7297.0 - §7297. 11.

K. Contacts

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employee was a child. A biological or legal relationship is not necessary.

(d) For purposes of confirmation of family relationship, the employer may require the employee giving notice of the need for leave to provide reasonable documentation or statement of family relationship. This documentation may take the form of a simple statement from the employee, or a child's birth certificate, a court document, *etc.* The employer is entitled to examine documentation such as a birth certificate, *etc.*, but the employee is entitled to the return of the official document submitted for this purpose.

§ 825.114 What is a "serious health condition" entitling an employee to FMLA leave?

(a) For purposes of FMLA, "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves:

(1) *Inpatient care* (*i.e.*, an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of *incapacity* (for purposes of this section, defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom), or any subsequent treatment in connection with such inpatient care; or

(2) *Continuing treatment* by a health care provider. A serious health condition involving continuing treatment by a health care provider includes any one or more of the following:

(i) A period of *incapacity* (*i.e.*, inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom) of more than three consecutive calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:

(A) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (*e.g.*, physical therapist) under orders of, or on referral by, a health care provider; or

(B) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

(ii) Any period of incapacity due to pregnancy, or for prenatal care.

(iii) Any period of incapacity or treatment for such incapacity due to a chronic serious health condition. A chronic serious health condition is one which:

(A) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

(B) Continues over an extended period of time (including recurring episodes of a single underlying condition); and

(C) May cause episodic rather than a continuing period of incapacity (*e.g.*, asthma, diabetes, epilepsy, *etc.*).

(iv) A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

(v) Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation), severe arthritis (physical therapy), kidney disease (dialysis).

(b) Treatment for purposes of paragraph (a) of this section includes (but is not limited to) examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations. Under

paragraph (a)(2)(i)(B), a regimen of continuing treatment includes, for example, a course of prescription medication (*e.g.*, an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition (*e.g.*, oxygen). A regimen of continuing treatment that includes the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider, is not, by itself, sufficient to constitute a regimen of continuing treatment for purposes of FMLA leave.

(c) Conditions for which cosmetic treatments are administered (such as most treatments for acne or plastic surgery) are not "serious health conditions" unless inpatient hospital care is required or unless complications develop. Ordinarily, unless complications arise, the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, *etc.*, are examples of conditions that do not meet the definition of a serious health condition and do not qualify for FMLA leave. Restorative dental or plastic surgery after an injury or removal of cancerous growths are serious health conditions provided all the other conditions of this regulation are met. Mental illness resulting from stress or allergies may be serious health conditions, but only if all the conditions of this section are met.

(d) Substance abuse may be a serious health condition if the conditions of this section are met. However, FMLA leave may only be taken for treatment for substance abuse by a health care provider or by a provider of health care services on referral by a health care provider. On the other hand, absence because of the employee's use of the substance, rather than for treatment, does not qualify for FMLA leave.

(e) Absences attributable to incapacity under paragraphs (a)(2) (ii) or (iii) qualify for FMLA leave even though the employee or the immediate family member does not receive treatment from a health care provider during the absence, and even if the absence does not last more than three days. For example, an employee with asthma may be unable to report for work due to the onset of an asthma attack or because the employee's health care provider has advised the employee to stay home when the pollen count exceeds a certain level. An employee who is pregnant may be unable to report to work because of severe morning sickness.

§ 825.115 What does it mean that "the employee is unable to perform the functions of the position of the employee"?

An employee is "unable to perform the functions of the position" where the health care provider finds that the employee is unable to work at all or is unable to perform any one of the essential functions of the employee's position within the meaning of the Americans with Disabilities Act (ADA), 42 USC 12101 *et seq.*, and the regulations at 29 CFR §1630.2(n). An employee who must be absent from work to receive medical treatment for a serious health condition is considered to be unable to perform the essential functions of the position during the absence for treatment. An employer has the option, in requiring certification from a health care provider, to provide a statement of the essential functions of the employee's position for the health care provider to review. For purposes of FMLA, the essential functions of the employee's position are to be determined with reference to the position the employee held at the time notice is given or leave commenced, whichever is earlier.

§ 825.116 What does it mean that an employee is "needed to care for" a family member?

(a) The medical certification provision that an employee is "needed to care for" a family member encompasses both physical and psychological care. It includes situations where, for example, because of a serious health condition, the family member is unable to care for his or her own basic medical, hygienic, or nutritional needs or safety, or is unable to transport himself or herself to the doctor, etc. The term also includes providing psychological comfort and reassurance which would be beneficial to a child, spouse

CITY AND COUNTY OF SAN FRANCISCO

FAMILY AND MEDICAL LEAVE ACT

RECORDKEEPING PROCEDURES

DEPARTMENTAL RECORDKEEPING

NOTIFICATION TO EMPLOYEES:

Immediately post all FMLA/CFRA notification documents on departmental bulletins. These documents are entitled:

1) Your rights under the Family and Medical Leave Act (DHR FLMA #1), and

2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability (reverse side DHR FLMA #1).

Ensure that every employee receives a copy of these two documents, and record how the department notified each employee.

Ensure that every new hire receives these documents as part of the employee orientation process.

DEPARTMENT'S RECORDKEEPING:

Maintain all FMLA related documents for a minimum of three (3) years. Notification forms may be kept in the employee's personnel file. All FMLA requests and other forms from the employee containing confidential information must be kept in a confidential medical file.

List of Approved and Denied FMLA Leave Requests:

In addition to maintaining the documents in the employee's personnel/medical files, departments will maintain a list of the names of employees who requested FMLA Leave including the names of employees who requested and were denied FMLA Leave.

If FMLA was denied, include a short explanation for the denial. The department will send a summary to the Department of Human resources (DHR) Human Resources Services Division on a semi-annual basis. DHR will have this information available in the event of a Department of Labor (DOL) audit.

FMLA Designation:

If eligible, an employee is entitled to FMLA Leave. Employees on FLMA Leave have a right to take up to twelve (12) workweeks (480 hours) of leave in a rolling 12-month period. An employee's entitlement to leave is calculated based upon a rolling 12-month period measured backwards from the date an employee requests any FMLA Leave.

FMLA is unpaid time unless the employee is eligible for paid time. An employee cannot take comp time as FMLA, however, comp time may be used to supplement SDI payments without that portion of comp time used being designated under FMLA. The employee may request comp time before or after time designated as FMLA. The department must keep track of all time designated as FMLA Leave including time taken intermittently or on a reduced schedule leave. The smallest increment of leave that may be used is one hour. All time designated as FMLA Leave must be documented on the department's records so that reproductions are clear and identifiable by date or pay period.

DEPARTMENT OF HUMAN RESOURCES' (DHR) RECORDKEEPING:

The Department of Human Resources (DHR) Human Resources Services Division will maintain the semi-annual lists generated by departments. In the event that DOL conducts an audit, DHR will then direct the DOL to the departments and the departments will provide DOL with the employee information at the departmental level.

FMLA REGULATIONS SUMMARIZED Section 825.500

What records must be kept to comply with the FMLA?

- FMLA provides that employers must "make, keep, and preserve records pertaining to their obligations under the Act" in accordance with the recordkeeping requirements of section 11 (c) of the Fair Labor Standards Act (FLSA).
- No particular order or form of records is required.
- Employers must maintain records that disclose the following:

a) Basic payroll and identifying employee data, including name, address, occupation; rate or basis of pay and terms of compensation; daily and weekly hours worked per pay period; additions to or deductions from wages; and total compensation paid (FLSA *information*).

b) Dates FMLA Leave is taken by FMLA eligible employees. Leave must be designated in records as FMLA Leave; leave so designated may not include leave required under State law or an employer plan which is not also covered by FMLA.

c) If FMLA Leave is taken by eligible employees in increments of less than one full day, the hours of the leave.

d) Copies of employee notices of leave furnished to the City, if in writing; and copies of all general and specific written notices given to employees as required under the FMLA. These copies may be maintained in employee personnel files.

e) Any documents (including written and electronic records) describing employee benefit or employer policies and practices regarding the taking of paid and unpaid leaves.

f) Premium payments of employee benefits.

g) Records of any dispute between the City and eligible employee regarding designation of leave as FMLA Leave, including any written statement from the City or employee of the reasons for the designation and for the disagreement.

- Records and documents relating to medical certifications, recertifications or medical histories of employees or employee's family members, created for purposes of FMLA, must be maintained as confidential medical records in separate files/records from the usual personnel files and if ADA is also applicable, such records shall be maintained in conformance with ADA confidentiality requirements except that:

    1. Supervisors and managers may be informed regarding necessary restrictions on the work or duties of an employee and necessary accommodations;

    2. First aid and safety personnel may be informed (when appropriate) if the employee's physical or medical condition might require emergency treatment; and

    3. Government officials investigating compliance with FMLA shall be provided relevant information upon request.

- The regulations do not establish the requirements that any employer revise its computerized payroll or personnel records to comply. However, "employers must keep the records specified by these regulations for no less than three years and make them available for inspection, copying and transcription…."

CITY AND COUNTY OF SAN FRANCISCO

FAMILY AND MEDICAL LEAVE ACT
PERSONNEL ACTION CHECKLIST

I. AN EMPLOYEE REQUESTS FMLA LEAVE **BEFORE** THE LEAVE BEGINS

_____ Send the employee the following forms --
1) Your Rights Under the Family and Medical Leave Act (FMLA 1)
2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave (FMLA 1 side two)
3) Employee Request for Family and Medical Leave (FMLA 1A)
4) Certification of Health Care Provider (FMLA 2)

_____ *Send* the employee the "Response to Your Request for Family and Medical Leave" (FMLA 1B) form **within two business** days of receiving the "Employee Request" form, after considering the following:

Is the employee covered by FMLA?
* employed for 12 months (need not be consecutive)
* worked 1,250 hours during the past 12 months (sick pay, vacation or other leave hours don't count as hours worked)

Is the reason for the leave covered by the FMLA?
* the birth or placement of a child with the employee
* to care for a seriously ill spouse/domestic partner, parent or child
* due to the employee's serious health condition that makes the employee unable to perform the functions of his/her position

If your answer is YES to both of the questions in the boxes above, FMLA Leave is appropriate.

If your answer is NO to the question in either box, there is no FMLA Leave entitlement, but based on the information known at that point (the third asterisk in box 2), there may very well be an ADA issue you need to address.

FAMILY AND MEDICAL LEAVE ACT
PERSONNEL ACTION CHECKLIST

_____ Make sure the employee submits the "Certification of Health Care Provider" form in a timely fashion.

_____ Send the "Withdrawal of FMLA Designation" (FMLA 5) form if the "Certification of Health Care Provider" form does not confirm that the reason for the leave is an FMLA covered reason, or if the employee fails to submit the Certification in time without a reasonable excuse for the delay.

_____ If necessary, complete the "Departmental Request for Key Employee Designation" (FMLA 8) form, and submit to DHR.

_____ If the employee is a Key Employee, as designated by DHR, send the employee the "Notification of Restricted Rights to Return from FMLA Leave for Key Employee" form.

_____ Send the "Family and Medical Leave Expiration Notice" (FMLA 6) form two weeks before the FMLA Leave is scheduled to expire, along with a "Fitness for Duty to Return from Leave Certification" (FMLA 7) form, if the FMLA Leave has been for the employee's own serious health condition, and another "Employee Request for Family and Medical Leave" form, and "Certification of Health Care Provider" form.

_____ Send the employee a new "Response to Your Request for Family and Medical Leave" form, if an extension is requested.

II. AN EMPLOYEE MAKES AN FMLA REQUEST, **AFTER** LEAVE HAS BEGUN

_____ Send the employee the following forms --
1) Your Rights under the Family and Medical Leave Act (FMLA 1)
2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave (FMLA 1 side two)
3) Employee Request for Family and Medical Leave (FMLA 1A)
4) Certification of Health Care Provider (FMLA 2)

_____ *Send* the employee the "Response to Your Request for Family and Medical Leave" (FMLA 1B) form **within two business days** of receiving the "Employee Request" form, after considering the following:

Is the employee covered by FMLA?
* employed for 12 months (need not be consecutive)
* worked 1,250 hours during the past 12 months (sick pay, vacation or other leave hours don't count as hours worked)

Is the reason for the leave covered by the FMLA?
* the birth or placement of a child with the employee
* to care for a seriously ill spouse/domestic partner, parent or child
* due to the employee's serious health condition that makes the employee unable to perform the functions of his/her position

If your answer is YES to both of the questions in the boxes above, FMLA Leave is appropriate.

If your answer is NO to the question in either box, there is no FMLA Leave entitlement, but based on the information known at that point (the third asterisk in box 2), there may very well be an ADA issue you need to address.

To the extent that the leave period qualified as FMLA, you may retroactively designate that amount as FMLA Leave.

_____ Make sure the employee submits the "Certification of Health Care Provider" form in a timely fashion.

FAMILY AND MEDICAL LEAVE ACT
PERSONNEL ACTION CHECKLIST

_____ Send the "Withdrawal of FMLA Designation" (FMLA 5) form if the "Certification of Health Care Provider" form does not confirm that the reason for the leave is an FMLA covered reason, or if the employee fails to submit the Certification in time without a reasonable excuse for the delay.

_____ If necessary, complete the "Departmental Request for Key Employee Designation" (FMLA 8) form, and submit to DHR.

_____ If the employee is a Key Employee, as designated by DHR, send the employee the "Notification of Restricted Rights to Return from FMLA Leave for Key Employee" (FMLA 9) form.

_____ Send the "Family and Medical Leave Expiration Notice" (FMLA 6) form two weeks before the FMLA Leave is scheduled to expire, along with a "Fitness for Duty to Return from Leave Certification" (FMLA 7) form, if the FMLA Leave has been for the employee's own serious health condition, and another "Employee Request for Family and Medical Leave" form, and "Certification of Health Care Provider" form.

_____ Send the employee a new "Response to Your Request for Family and Medical Leave" form, if an extension is requested.

III. AN EMPLOYEE REQUESTS FMLA LEAVE **AFTER** RETURNING FROM LEAVE

_____ The employee must provide notice that the leave was for FMLA reasons within two business days of returning to work.

_____ If proper notification is received from the employee, Send the employee the following forms --
1) Your Rights under the Family and Medical Leave Act (FMLA 1)
2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave (FMLA 1 side two)
3) Employee Request for Family and Medical Leave (FMLA 1A)
4) Certification of Health Care Provider (FMLA 2)

_____ Send the employee the "Response to Your Request for Family and Medical Leave" (FMLA 1B) form **within two business days** of receiving the "Employee Request" form, after considering the following:

Is the employee covered by FMLA?
* employed for 12 months (need not be consecutive)
* worked 1,250 hours during the past 12 months (sick pay, vacation or other leave hours don't count as hours worked)

Is the reason for the leave covered by the FMLA?
* the birth or placement of a child with the employee
* to care for a seriously ill spouse/domestic partner, parent or child
* due to the employee's serious health condition that makes the employee unable to perform the functions of his/her position

If your answer is YES to both of the questions in the boxes above, FMLA leave is appropriate.

If your answer is NO to the question in either box, there is no FMLA Leave entitlement, but based on the information known at that point (the third asterisk in box 2), there may very well be an ADA issue you need to address.

To the extent that the leave period qualified as FMLA, you may retroactively designate that amount as FMLA Leave.

_____ Make sure the employee submits the "Certification of Health Care Provider" form in a timely fashion.

_____ Send the "Withdrawal of FMLA Designation" (FMLA 5) form if the "Certification of Health Care Provider" form does not confirm that the reason for the leave is an FMLA covered reason, or if the employee fails to submit the Certification in time without a reasonable excuse for the delay.

IV. AN EMPLOYEE IS ABSENT OR ON LEAVE, BUT MAKES NO FMLA REQUEST -- NOTIFICATION FROM SUPERVISOR OR CO-WORKERS **BEFORE** THE EMPLOYEE RETURNS TO WORK

_____ Supervisor submits "Supervisor's Report of Absence of Five Days or More" (FMLA 3) form.

Is the employee covered by FMLA?
* employed for 12 months (need not be consecutive)
* worked 1,250 hours during the past 12 months (sick pay, vacation or other leave hours don't count as hours worked)

Is the reason for the leave covered by the FMLA?
* the birth or placement of a child with the employee
* to care for a seriously ill spouse/domestic partner, parent or child
* due to the employee's serious health condition that makes the employee unable to perform the functions of his/her position

If your answer is YES to both of the questions in the boxes above, FMLA Leave is appropriate.

If your answer is NO to the question in either box, there is no FMLA Leave entitlement, but based on the information known at that point (the third asterisk in box 2), there may very well be an ADA issue you need to address.

_____ Send employee "Automatic FMLA Designation/Information Letter" (FMLA 4) form within two business days of receiving "Supervisor's Report of Absence" form.

FAMILY AND MEDICAL LEAVE ACT
PERSONNEL ACTION CHECKLIST

_____ Send the employee the following forms --
1) Your Rights under the Family and Medical Leave Act (FMLA 1)
2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave (FMLA 1 side two)
3) Employee Request for Family and Medical Leave (FMLA 1A)
4) Certification of Health Care Provider (FMLA 2)
5) Request For Leave (DHR #7-20)

_____ Make sure the employee submits the "Certification of Health Care Provider" form in a timely fashion.

_____ Send the "Withdrawal of FMLA Designation" (FMLA 5) form if the "Certification of Health Care Provider" form does not confirm that the reason for the leave is an FMLA covered reason, or if the employee fails to submit the Certification in time without a reasonable excuse for the delay.

_____ If necessary, complete the "Departmental Request for Key Employee Designation" (FMLA 8) form, and submit to DHR.

_____ *If the employee is a Key Employee*, as designated by DHR, send the employee the "Notification of Restricted Rights to Return from FMLA Leave for Key Employee" (FMLA 9) form.

_____ Send the "Family and Medical Leave Expiration Notice" (FMLA 6) form two weeks before the FMLA Leave is scheduled to expire, along with a "Fitness for Duty to Return From Leave Certification" (FMLA 7) form, if the FMLA Leave has been for the employee's own serious health condition, and another "Employee Request for Family and Medical Leave" form, and "Certification of Health Care Provider" form.

_____ Send the employee a new "Response to Your Request for Family and Medical Leave" (FMLA 1B) form, if an extension is requested.

V. AN EMPLOYEE IS ABSENT OR IS ON LEAVE, BUT MAKES NO FMLA REQUEST AT ANY TIME -- NOTIFICATION FROM SUPERVISOR OR CO-WORKERS AFTER THE EMPLOYEE RETURNS TO WORK.

_____ Designation of FMLA Leave must be made within 2 business days of the employee's return to work.

Is the employee covered by FMLA?
* employed for 12 months (need not be consecutive)
* worked 1,250 hours during the past 12 months (sick pay, vacation or other leave hours don't count as hours worked)

Is the reason for the leave covered by the FMLA?
* the birth or placement of a child with the employee
* to care for a seriously ill spouse/domestic partner, parent or child
* due to the employee's serious health condition that makes the employee unable to perform the functions of his/her position

If your answer is YES to both of the questions in the boxes above, FMLA Leave is appropriate.

If your answer is NO to the question in either box, there is no FMLA Leave entitlement, but based on the information known at that point (the third asterisk in box 2), there may very well be an ADA issue you need to address.

_____ Send employee "Automatic FMLA Designation/Information Letter" (FMLA 4) form.

_____ Send the employee the following forms --
1) Your Rights under the Family and Medical Leave Act (FMLA 1)
2) Family Care and Medical Leave (CFRA Leave) and Pregnancy Disability Leave (FMLA 1 side two)
3) Employee Request for Family and Medical Leave (FMLA 1A)
4) Certification of Health Care Provider (FMLA 2)
5) Request For Leave (DHR #7-20)

_____ Make sure the employee submits the "Certification of Health Care Provider" form in a timely fashion.

Send the "Withdrawal of FMLA Designation" (FMLA 5) form if the "Certification of Health Care Provider" form does not confirm that the reason for the leave is an FMLA covered reason, or if the employee fails to submit the Certification in time without a reasonable excuse for the delay.

CITY AND COUNTY OF SAN FRANCISCO

FMLA 1

YOUR RIGHTS
under the
FAMILY AND MEDICAL LEAVE ACT

FMLA requires the City to provide within a rolling 12-month period up to 12 weeks (480 hours) of unpaid, job-protected leave to "eligible" employees for certain family and medical reasons. You are eligible if you have worked for the City for at least one year, and for 1,250 hours over the previous 12 months. (Hours taken as sick pay, vacation or other type of leave do not count as hours worked for this calculation.)

REASONS FOR TAKING LEAVE[1]: Under the FMLA, unpaid leave must be granted for any of the following reasons:

- To care for your child after birth and to care for that child;
- For the placement with the employee of a child for adoption or foster care and to care for that child;
- To care for your spouse/domestic partner, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes you unable to perform your job.[2]

City policy requires that, except for authorized Workers' Compensation leave or pregnancy disability leave, if you use FMLA Leave, you must concurrently use accrued sick leave time off. After sick leave has been exhausted, or if you cannot use sick leave because you are caring for a spouse/domestic partner or parent, an employee may request to use accrued vacation leave and floating holidays to cover the remaining FMLA leave.

ADVANCE NOTICE AND MEDICAL CERTIFICATION: You are required to provide advance leave notice and medical certification. Use of FMLA leave may be denied if requirements are not met.

- You ordinarily must provide 30 days advance notice when the leave is "foreseeable."
- The City requires medical certification to support a request for leave because of a serious health condition, and may require second or third opinions (at the City's expense) and a fitness for duty report to return to work.
- While on leave you may be required to furnish the City with periodic status reports.

JOB BENEFITS AND PROTECTION:

- For the duration of FMLA leave, the City will maintain your health coverage under your "group health plan." You are responsible for your share of premium costs, if any.
- Upon return from FMLA leave, you will likely be restored to your original or equivalent position with equivalent pay, benefits, and other employment terms unless you are designated a "key employee".
- The use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of your leave.

UNLAWFUL ACTS BY EMPLOYERS: FMLA makes it unlawful for the City to:

- interfere with, restrain, or deny the exercise of any right provided under FMLA;
- discharge or discriminate against you for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

ENFORCEMENT:

- The U.S. Department of Labor is authorized to investigate and resolve complaints of violations.
- An eligible employee may bring a civil action against an employer for violations.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement that provides greater family or medical leave rights.

FOR ADDITIONAL INFORMATION: **Contact your departmental Human Resources office.**

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[1] Information on the California Family Rights Act of 1993 and the City's Pregnancy Disability Leave is provided on the reverse side of this page.

[2] The City will count a Workers' Compensation absence towards your FMLA entitlement if you suffer an on-the-job injury or illness that qualifies as a serious health condition.

CITY AND COUNTY OF SAN FRANCISCO

FAMILY CARE AND MEDICAL LEAVE (CFRA LEAVE) AND PREGNANCY DISABILITY LEAVE

Under the California Family Rights Act of 1993 (CFRA), if you have more than 12 months of service with us and have worked at least 1,250 hours in the 12-month period before the date you want to begin your leave, you may have a right to an unpaid family care or medical leave (CFRA leave). This leave may be up to 12 workweeks (480 hours) in a 12-month period for the birth of your child, and adoption or foster care placement of a child with you, or for your own serious health condition or that of your child, parent or spouse/registered domestic partner.

Even if you are not eligible for CFRA leave, if you are disabled by pregnancy, childbirth or related medical conditions, you are entitled to take a pregnancy disability leave of up to four months, depending on your period(s) of actual disability. If you are CFRA-eligible, you have certain rights to take both a pregnancy disability leave and a CFRA leave for reason of the birth of your child. Both leaves contain a guarantee of reinstatement to the same or to a comparable position at the end of the leave, subject to any defense allowed under the law.

If possible, you must provide at least 30 days advance notice for foreseeable events (such as the expected birth of your child or a planned medical treatment for yourself or of a family member). For events which are unforeseeable, we need you to notify us, at least verbally, as soon as you learn of the need for the leave.

Failure to comply with these notice rules is grounds for, and may result in, deferral of the requested leave until you comply with this notice policy.

We may require certification from your health care provider before allowing you a leave for pregnancy or your own serious health condition or certification from the health care provider of your child, parent or spouse/registered domestic partner who has a serious health condition before allowing you a leave to take care of that family member. When medically necessary, leave may be taken on an intermittent or reduced work schedule.

Taking a family care or pregnancy disability leave may impact certain employment benefits. If you need more information regarding your eligibility for a leave and/or the impact of the leave on your benefits, please contact your departmental Human Resources office.

Family & Medical Leave Act
Employee Checklist

I. To Request FMLA Leave

_____ Notify your supervisor (30 days in advance, if possible).

_____ Complete and submit EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE form (FMLA 1A) to your department's Human Resources (HR) Office.

Your Department's HR Office will determine:
1) if you are eligible for FMLA Leave at this time
2) if your reason for the leave is covered by FMLA.

Your department will return the two-sided RESPONSE TO YOUR REQUEST FOR FAMILY AND MEDICAL LEAVE form (FMLA 1B) within two (2) business days of receiving the EMPLOYEE REQUEST form. The RESPONSE TO YOUR REQUEST will notify you if your leave was approved or denied.

II. If your FMLA leave was <u>denied</u>, you might be eligible for:

A. Other types of leave under Civil Service Commission Rules (CSC), including:
- Sick Leave with Pay (CSC Rule 120, Article II and III)
- Sick Leave without Pay (CSC Rule 120, Article IV)
- Family Care Leave (CSC Rule 120.33)
- Personal Leave (CSC Rule 120.39)

_____ Complete Section I of the REQUEST FOR LEAVE form (DHR 7-120) and submit the REQUEST OF LEAVE form to your supervisor for approval.

OR

B. Reasonable Accommodation under the Americans with Disabilities Act (ADA)

Contact your Department's HR Office for more information.

III. If your FMLA Leave was <u>approved</u>,

_____ If required, submit to your Department's HR Office the CERTIFICATION OF HEALTH CARE PROVIDER form (FMLA 2) completed and signed by your Health Care Provider.

If leave was foreseeable and at least 30 days notice was provided, then submit the CERTIFICATION form before beginning the leave.

If leave was not foreseeable, then submit the CERTIFICATION form as soon as possible and no later than fifteen (15) calendar days after your department approved your request.

Family & Medical Leave Act
Employee Checklist

If the CERTIFICATION OF HEALTH CARE PROVIDER form (FMLA 2) does not confirm that the reason for the leave is an FMLA covered reason, or if you failed to submit the CERTIFICATION in time without a reasonable excuse for the delay, your department may send you a "WITHDRAWAL OF FMLA DESIGNATION" form (FMLA 5).

Two weeks before your FMLA Leave expires, the department will send you these forms:

1) FAMILY AND MEDICAL LEAVE EXPIRATION NOTICE form (FMLA 6),
2) FITNESS FOR DUTY TO RETURN FROM LEAVE CERTIFICATION form (FMLA 7) if the leave was for your own serious health condition,
3) EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE form (FMLA 1A), and
4) CERTIFICATION OF HEALTH CARE PROVIDER form (FMLA 2).

Leave Extensions:

_____ If you need to extend your FMLA Leave, complete and submit to your Department's HR Office the EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE (FMLA 1A) with the "Extension" box checked.

_____ If required, submit a new CERTIFICATION OF HEALTH CARE PROVIDER form (FMLA 2) within fifteen (15) calendar days after your department approved your request for an extension.

Your department will return the two-sided RESPONSE TO YOUR REQUEST OF FAMILY AND MEDICAL LEAVE form for an extension (FMLA 1B) within two (2) business days of receiving the EMPLOYEE REQUEST form. The RESPONSE TO YOUR REQUEST for an extension (FMLA 1B) will notify you if your leave was approved or denied.

Intermittent Leave or Reduced Schedule Leave:

_____ Complete and submit the INTERMITTENT LEAVE VERIFICATION form (FMLA 1C).

IV. Return to Work:

_____ If you are ready to return to work at the end of your leave and the leave was due to your own serious health condition, request from your Department's HR Office the FITNESS FOR DUTY TO RETURN FROM LEAVE CERTIFICATION (FMLA 7). Ask your Health Care Provider to complete this form and submit the form to your supervisor prior to or on the day you return to work.

CITY AND COUNTY OF SAN FRANCISCO

FMLA 1A

EMPLOYEE REQUEST FOR FAMILY AND MEDICAL LEAVE[1]

☐ New Request ☐ Request for Extension[2]

I am requesting Family and Medical Leave for the following reason (check one):

☐ A. The birth of the employee's child and to care for such child. _____ (date of birth)

☐ B. The placement with the employee of a child for adoption or foster care and to care for such child. (Attach documentation.)

☐ C. In order to care for an immediate family member because such family member has a serious health condition. (Submit "Certification of Health Care Provider" (FMLA 2) form within 15 calendar days.)

Circle one: CHILD SPOUSE/DOMESTIC PARTNER PARENT OTHER (explain)

_____

_____

☐ D. Employee's serious health condition that makes the employee unable to perform the functions of his/her job.[3] (Submit "Certification of Health Care Provider" (FMLA 2) form within 15 calendar days.)

If you checked one of the above, your request, if approved, will constitute Family Medical Leave and will be designated as such.[4] If you checked "D", the City will, as a condition of returning to work, require you to provide a medical certification of fitness to return to work. If you fail to submit the required certification, the City may refuse to return you to work until the certification is submitted.

Requested Dates: _____ (beginning date) through _____ (ending date).

_____ Employee Signature

_____ Date

_____ Employee Name (Print or Type)

_____ Social Security No.

_____ Employee Class Number and Title

_____ Dept. Name

cc: Personnel File

[1] Refers to both Federal and State Leaves under the Family Medical Leave Act and the California Family Rights Act.

[2] Requests for an extension of FMLA Leave must be submitted two business days prior to the end of the current scheduled FMLA Leave. Failure to submit timely may delay the granting of the FMLA Leave extension.

[3] The City will count a Workers' Compensation absence against your FMLA leave if you suffer an on-the-job injury or illness that qualifies as a serious health condition.

[4] Except for authorized Workers' Compensation leave or pregnancy disability leave, an employee who uses FMLA Leave concurrently must use accrued sick leave for time off. After sick leave has been exhausted, or if an employee cannot use sick leave because of caring for a spouse/domestic partner or parent, an employee must then use accrued vacation leave to cover the remaining FMLA leave, followed by the use of floating holidays.

FMLA 1B

RESPONSE TO YOUR REQUEST OF _____ (date) FOR FAMILY AND MEDICAL LEAVE[1]

☐ New Request ☐ Request for Extension[2]

EMPLOYEE NAME: _____ Date: _____

This is to inform you that:

1. ☐ You are eligible for leave under FMLA.

   ☐ You are not eligible for leave under FMLA. Reason: _____

2. Leave dates requested _____ through _____.

   ☐ Will be counted toward your FMLA entitlement.

   ☐ Will not be counted toward your FMLA entitlement.

3. You ☐ will/ ☐ will not be required to furnish medical certification (Certification of Health Care Provider form FMLA 2) of a serious health condition. If required, you must submit the form by _____ *(date)*
Note: Must submit within 15 calendar days after you are notified of this requirement or we may delay the commencement of your leave until the certification is submitted. We may also preliminarily designate your leave as FMLA Leave, subject to submission of the Certification of Health Care Provider (FMLA 2) form.

4. You may be requested to provide the City with a Certification of Health Care Provider (FMLA 2) form no more frequently than every thirty (30) days from the date you commence your leave as to your serious health condition or your family member's serious health condition.

Except as explained below, you have a right under the FMLA for up to 12 weeks (480 hours) of unpaid leave in a rolling 12-month period[3] for the reasons listed on the other side (FMLA 1A). Also, your health benefits must be maintained during any period of unpaid leave under the same conditions as if you continued to work. Unless you have been designated as a "key employee", you must be reinstated to the same or an equivalent position with the same pay, benefits, and terms and conditions of employment on your return from leave. If you do not return to work following FMLA leave for a reason other than: (1) the continuation, recurrence, or onset of a serious health condition which would entitle you to FMLA leave; or (2) other circumstances beyond your control, you may be required to reimburse the City for its contribution of health insurance premiums paid on your behalf during the unpaid portion of your FMLA leave.

_____ _____
(Signature of Department Representative) *(Print Name)*

FOR OFFICE USE ONLY

Family and Medical Leave Expiration Notice: Leave ending _____
(date)

SENT: _____ _____
(two weeks prior to leave expiration) *(initials)*

cc: Personnel File

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[1] FMLA refers to both Federal and State leaves under the Family Medical Leave Act and the California Family Rights Act.
2 Requests for an extension of FMLA Leave must be submitted two business days prior to the end of the current scheduled FMLA Leave. Failure to submit timely may delay the granting of the FMLA Leave extension.
[3] Each time you take FMLA leave, your remaining leave entitlement will be the balance of the 12 weeks you have not used during the immediately preceding 12 months. For example, if you took four weeks on 2/1/94, four weeks on 6/1/94 and four weeks on 12/1/94, you would not be entitled to any additional FMLA Leave until 2/1/95.

CITY AND COUNTY OF SAN FRANCISCO

FMLA 2

Certification of Health Care Provider

(Family and Medical Leave Act of 1993;
California Family Rights Act.)

Here and elsewhere on this form, the information sought relates only to the condition for which the employee is taking FMLA/CFRA leave. "Incapacity," for purposes of FMLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment therefor, or recovery therefrom.

1. Employee's Name: _____

2. Patient's Name (if different from employee): _____

3. The attached sheet describes what is meant by a "serious health condition" under the Family and Medical Leave Act. Does the patient's conditions qualify under any of the categories described? If so, please check the applicable category.

   (1) ☐ (2) ☐ (3) ☐ (4) ☐ (5) ☐ (6) ☐ or None of the above ☐

4. Describe the medical facts which support your certification, including a brief statement as to how the medical facts meet the criteria of one of these categories:[1]

   a. If the employee is the patient (if not, skip to Question 5) state the approximate date the condition commenced, and the probable duration of the condition (and also the probable duration of the patient's present incapacity if different):

   b. Will it be necessary for the employee to work only intermittently or to work on a less than full schedule as a result of the condition (including for treatment described in Item 6 below)?

      If yes, give the recommended reduction in schedule and the probable duration: _____

   c. If the condition is a chronic condition (condition 4) or pregnancy, state whether the patient is presently incapacitated and the likely duration and frequency of episodes of incapacity:

[1] **This certification should not disclose the underlying diagnosis without the patient's consent**

5. If the employee is **not** the patient:

   a. The date, if known, on which the serious health condition commenced: _____

   b. The probable duration of the condition: _____

   c. An estimate of the amount of time which you believe the employee needs to care for the child, parent or spouse/domestic partner:

   d. Does the serious health condition warrant the participation of the employee, including but not limited to, providing psychological comfort and arranging third party care as well as directly providing or participating in medical care:

      No_____ Yes _____

6. a. If additional treatments will be required for the condition, provide an estimate of the probable number of such treatments:

   b. If any of these treatments will be provided by another provider of health services (e.g., physical therapist), please state the nature of the treatments:

   c. If the patient will be absent from work or other daily activities because of treatment on an intermittent or part-time basis, also provide an estimate of the probable number and interval between such treatments, actual or estimated dates of treatment if known, and period required for recovery if any:

   d. If a regimen of continuing treatment by the patient is required under your supervision, provide a general description of such regimen (e.g., prescription drugs, physical therapy requiring special equipment):

Employee's Name: _____

Patient's Name: _____

Certification of Health Care Provider

7. a. If medical leave is required for the employee's absence from work because of the employee's own condition (including absences due to pregnancy or a chronic condition), is the employee unable to perform work of any kind?

   b. If able to perform some work, is the employee unable to perform any one or more of the essential functions of the employee's job (the employee or the employer should supply you with information about the essential job functions)? If yes, please list the essential functions the employee is unable to perform:

   c. If neither a. nor b. applies, is it necessary for the employee to be absent from work for treatment?

_____ _____
(Signature of Health Care Provider) (Type of Practice)

_____ _____
(Print Name of Health Care Provider) (License No.)

_____ _____
(Address) (Date)

_____ _____
(City) (State) (Zip Code) (Telephone number)

Patient's Name: _____

Certification of Health Care Provider

TO BE COMPLETED BY THE ***EMPLOYEE*** NEEDING FAMILY LEAVE TO CARE FOR A FAMILY MEMBER:

State the care you will provide and an estimate of the period during which care will be provided, including a schedule if leave is to be taken intermittently or if it will be necessary for you to work less than a full schedule:

_____ _____

(Employee signature) (Date)

_____

(Employee name -- printed)

_____ _____

(Classification number and title) (Dept.)

A "Serious Health Condition" means an illness, injury, impairment, or physical or mental condition that involves one of the following:

CATEGORY 1: Hospital Care

Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with or consequent to such inpatient care.

"Incapacity" means an inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment thereto, or recovery therefrom. "Treatment" includes examinations to determine if a serious health condition exists and evaluations of the condition. Treatment does not include routine physical examinations, eye examinations, or dental examinations. A regimen of continuing treatment includes, for example, a course of prescription medication (e.g., an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. A regimen of treatment does not include the taking of over-the-counter medications such as aspirin, antihistamines, or salves; or bed-rest, drinking fluids, exercise, and other similar activities that can be initiated without a visit to a health care provider.

CATEGORY 2: Absence Plus Treatment

(a) A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

(1) Treatment two or more times by a health care provider, by a nurse or physician's assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or

(2) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.

CATEGORY 3: Pregnancy

Any period of incapacity due to pregnancy, or for prenatal care.

CATEGORY 4: Chronic Conditions Requiring Treatments

A chronic condition which:

(1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;

(2) Continues over an extended period of time (including recurring episodes of a single underlying condition); and

(3) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

CATEGORY 5: Permanent/Long-term Conditions Requiring Supervision

A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

CATEGORY 6: Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), kidney disease (dialysis).

CITY AND COUNTY OF SAN FRANCISCO

FMLA 3

SUPERVISOR'S REPORT OF ABSENCE OF FIVE DAYS OR MORE

DATE: _____

TO: Departmental Personnel Office

ATTN: _____

Employee's name: _____

Employee's classification & title: _____

This employee was absent from work from *(dates)*_____ through _____.

- ☐ I do not have any information about the reason(s) for this absence.
- ☐ I have the following information about the reason(s) for this absence (please state information in detail and source of the information):

_____
_____
_____
_____

_____ _____
Supervisor's signature Supervisor's name (printed)

_____
Supervisor's phone number

Personnel use only:

FORMS SENT	**DATE**	**INITIALS**
Automatic FMLA Designation/Informational Letter (DHR #FMLA 4)	_____	_____
Your Rights under the Family and Medical Leave Act (DHR #FMLA 1)	_____	_____
Employee Request for Family and Medical Leave (DHR #FMLA 1A)	_____	_____
Request For Leave (DHR #7-20)	_____	_____
FMLA Employee Checklist	_____	_____

cc: Personnel File

FAMILY AND MEDICAL LEAVE ACT
FACTS FOR SUPERVISORS TO KNOW

⇒ *WHO IS ELIGIBLE FOR FMLA LEAVE* -- employees who have worked for the City for at least 12 months, and for at least 1,250 hours during this time.

⇒ *WHAT IS FMLA LEAVE* -- the Family and Medical Leave Act (federal) and the Family Care and Medical Leave Act (state) provides 12 weeks (480 hours) of unpaid leave when your employee or a member of the employee's immediate family has a serious health condition, or when your employee has a newborn, adopted, or newly placed foster child.

⇒ *WHO IS "IMMEDIATE FAMILY"* -- a spouse/domestic partner, daughter, son or parent of the employee. Parents "in-laws" are not immediate family.

⇒ *WHAT IS A SERIOUS HEALTH CONDITION* -- a heart attack; conditions requiring surgery; most cancers; back conditions requiring extensive therapy; strokes; severe nervous disorders; respiratory conditions; pregnancy; severe morning sickness; severe arthritis; pneumonia; appendicitis; emphysema, and conditions of similar severity. (Workers' Compensation counts if your employee suffers an injury or illness that qualifies as a serious health condition.)

⇒ *WHAT ISN'T A SERIOUS HEALTH CONDITION* -- barring complications: common colds, flues, earaches, stomach upset, minor ulcers, headaches (other than migraines), routine dental work, cosmetic surgery (unless there is hospitalization).

⇒ *WHAT TO DO WITH MEDICAL INFORMATION* -- Let your departmental Personnel Office know if an employee tells you something that indicates that he/she may qualify for a FMLA Leave. If it is a non-emergency situation, the employee will need to complete forms prior to the leave. If it is an emergency situation, notify your departmental Personnel Office immediately. Don't discuss any medical information with the employee's co-workers.

⇒ *WHEN YOUR EMPLOYEE IS ABSENT MORE THAN 5 CONSECUTIVE DAYS* -- Complete and submit the "Supervisor's Report of Absence of Five Days or More" form to your departmental Personnel Office.

⇒ *HOW AN EMPLOYEE GETS PAID DURING FMLA LEAVE* -- While FMLA Leave is unpaid, if an employee on FMLA Leave for his/her own serious health condition or for the serious health condition of a child, spouse/domestic partner, or parent, the employee must first use his/her sick leave. After sick leave has been exhausted the employee **may request** to use his/her accrued vacation leave to cover his/her remaining FMLA Leave, followed by the use of floating holidays. The employee will continue the balance of FMLA Leave on an unpaid basis when all required and/or requested and approved paid leave has been exhausted.

⇒ *WHAT HAPPENS AFTER THE FMLA LEAVE ENDS* -- With certain limited exceptions, the employee will return to the position held prior to the leave.

⇒ *CAN YOU DISCIPLINE AN EMPLOYEE FOR MISSING WORK WHILE ON FMLA LEAVE* -- No. You cannot include an employee's FMLA absence when considering discipline for absenteeism.

CITY AND COUNTY OF SAN FRANCISCO

FMLA 4

AUTOMATIC FMLA DESIGNATION/INFORMATIONAL LETTER

Place employee's name and address below.

The Personnel Office received information from your supervisor that you have been absent for more than five (5) consecutive workdays, and that your absence may be related to your own serious health condition, the serious health condition of an immediate family member, or the birth, adoption, or new placement of a foster child.

Based on this information, and despite no request from you to do so, we have preliminarily designated your absences as covered by the Family Medical Leave Act due to:

- ☐ A. The birth of the employee's child and in order to care for such child.
- ☐ B. The placement with the employee of a child for adoption or foster care and to care for such child.
- ☐ C. In order to care for an immediate family member because such family member has a serious health condition. Circle one:

  CHILD SPOUSE/DOMESTIC PARTNER PARENT OTHER_____
- ☐ D. Employee's own serious health condition that makes the employee unable to perform the functions of his/her job.

Dates of absence designated as FMLA Leave: _____through _____

By designating these days as FMLA Leave, your absences are protected, and may not be counted as absences for disciplinary purposes. The number of days you were absent, will, of course, be deducted from the total 12 week (480 hours) leave period available to you under the FMLA. We are not certain if you are entitled to FMLA Leave during your current absence and have enclosed information about the FMLA and other types of City Leaves. If you are not eligible for FMLA Leave, you will want to request another type of leave on the Request for Leave (DHR #7-20) form. If the reason you are absent is covered by the FMLA and you want to continue this designation, complete an Employee Request for Family and Medical Leave (FMLA 1A) and Certification of Health Care Provider (FMLA 2) form and return both to our office within 15 calendar days of this letter.

_____ _____

Signature of Preparer Department

_____ _____

Printed Name Date

ENCLOSED FORMS:
Your Rights Under the Family and Medical Leave Act (FMLA 1)
Employee Request for Family and Medical Leave (FMLA 1A)
Certification of Health Care Provider (FMLA 2)
Request For Leave (DHR #7-20)

cc: Personnel File

CITY AND COUNTY OF SAN FRANCISCO

FMLA 5

WITHDRAWAL OF FMLA DESIGNATION

Place employee's name and address below:

Although the City made a preliminary designation that your absence from work was for reasons covered by the Family and Medical Leave Act,

- ☐ you did not submit the required Certification of Health Care Provider form (FMLA 2).
- ☐ your Certification of Health Care Provider form (FMLA 2) failed to confirm that the reason for the absence was an FMLA reason.

As such your absence from _____ through _____. is not covered under the FMLA. Enclosed is a Request For Leave (DHR #7-20) form that you may complete and submit by _____ if you have not already done so. For answers to your questions, please contact _____ at _____.
(telephone number)

_____ _____
Signature of Preparer Department

_____ _____
Printed Name Date

cc: Personnel File

CITY AND COUNTY OF SAN FRANCISCO

FMLA 6

FAMILY AND MEDICAL LEAVE EXPIRATION NOTICE

Place employee's name and address below:

According to our records, your Family and Medical Leave (FMLA) is scheduled to end on *(date)*_____. **You have a balance of** _____ **in unused FMLA Leave.** If you need to request an extension of FMLA Leave, you must complete another Employee Request for Family and Medical Leave (FMLA 1A) form and submit it to our department's Human Resource Office at least two business days prior to the end of your scheduled leave. Failure to do so could delay granting the leave extension.

If you request a FMLA Leave extension, you must submit a new Certification of Health Care Provider (FMLA 2) form, if required. This form must be submitted to our department's Human Resources office within fifteen (15) calendar days of our response approving your request for an extension. While the City may grant the FMLA extension preliminarily, if the Certificate of Health Care Provider form fails to confirm that the extension is for an FMLA reason, the City will withdraw the FMLA designation. Similarly, if you fail to submit the Certification and cannot provide a reasonable explanation for the delay, the City may withdraw the FMLA designation.

If you are returning to work at the end of your leave and the leave was due to your own serious health condition, please complete the Fitness for Duty to Return From Leave Certification (FMLA 7) form and submit it to your supervisor prior to or on the day you return to work. Your job restoration may be delayed until this form is received by our department.

If you have any questions, please contact _____ at _____.
(name) *(telephone number)*

_____ _____
Signature of Preparer *Date*

_____
Print Name

Enclosed:

- ☐ Employee Request for Family and Medical Leave (FMLA 1A)
- ☐ Certification of Health Care Provider (FMLA 2)
- ☐ Fitness For Duty to Return Certification (FMLA 7)

cc: Personnel File

CITY AND COUNTY OF SAN FRANCISCO

FMLA 7

FITNESS FOR DUTY TO RETURN FROM LEAVE CERTIFICATION

An employee on Family and Medical Leave[1] because of his/her own serious medical condition must present this release to his/her supervisor prior to or on the day he/she returns to work. An employee may not work without this release.

TO: Health Care Provider

Our employee, _____, began a period of medical care leave for his/her serious health condition on _____.
(date employee commenced leave)

As a condition of return to work, the employee must have a medical examination. This form must be completed by you, as his/her health care provider, before the employee is allowed to resume his/her job duties.

1. Employee Name: _____
2. Employee's Job Title: _____
3. Date of Medical Examination: _____
4. Date employee may return from leave _____.
5. Please indicate with a check mark the status of the employee's release for duty.

   _____ Full, unrestricted duty. (Skip question 6 and proceed to item 7.)
   _____ Modified duty. (Complete question 6.)
   _____ Not released for any type of duty. (Go to item 7.)

6. If you are releasing the employee to modified duty, you must complete the following:

   a. Estimated date that employee will be able to return to full, unrestricted duty:
      _____.
   b. Date of your next medical evaluation of the employee:
      _____.
   c. Indicate the exact work restrictions which apply to the employee at this time on the chart on the back of this form.

[1] Refers to both Federal and State Leaves under the Family Medical Leave Act and the California Family Rights Act.

DHR #FMLA 7 Revised: 3/1/04

This is a 2-sided document.

EMPLOYEE NAME: _____

(Complete this section if the employee is being released to modified duty.)

PHYSICAL EXAMINATIONS	FULL RESTRICTIONS	PARTIAL RESTRICTIONS	NO RESTRICTIONS
Sedentary-Lifting 0 to 10 pounds			
Light-Lifting 10 to 20 pounds			
Moderate-Lifting 20 to 50 pounds			
Heavy-Lifting 50 to 100 pounds			
Pulling/Pushing, Carrying			
Reaching or working above shoulder			
Walking (hrs)			
Standing (hrs)			
Sitting (hrs)			
Stooping (hrs)			
Kneeling (hrs)			
Repeated Bending (hrs)			
Climbing (hrs)			
Operating a motor vehicle, crane, tractor, etc.			
Other:			
Exposure Limitation (Specify):			

7. I hereby certify that the foregoing facts are true and correct, and that this form is executed under penalty of perjury at _____, this _____ day of _____, ____.
(List City and State) (month) (year)

_____ _____
Signature of Health Care Provider Date

_____ _____
Print Name of Health Care Provider Phone Number

_____ _____
Type of Practice License No.

_____
Address

_____
City State Zip

cc: Personnel File

CITY AND COUNTY OF SAN FRANCISCO

FMLA 1C

INTERMITTENT LEAVE VERIFICATION

DATE: _____

TO: _____
(Employee's Name)

FROM: _____
(Department Representative)

The Certification of Health Care Provider (FMLA 2) form submitted on _____ indicates that it will be necessary for you to work only intermittently or to work on a less than full-time schedule as a result of an FMLA-covered condition. In general, employees who need to use FMLA Leave intermittently or on a reduced leave schedule must attempt to schedule the leave so as not to disrupt the Department's operations.

This letter confirms that you will be working the schedule attached to this letter from _____ through _____.

This letter confirms that on any occasion you miss work due to the serious health condition which was covered by the Certification of Health Care Provider form submitted on _____, the City will count the absence against your FMLA Leave. ***Please notify your supervisor if any other absence is due to the serious health condition covered by this Certification of Health Care Provider form or any other serious health condition, in order to ensure that your absences are counted as FMLA and that your entitlements under the FMLA are observed.***

_____ _____
(Signature) (Date)

Attachment: Schedule

cc: Personnel File

CITY AND COUNTY OF SAN FRANCISCO

FMLA 8

DEPARTMENTAL REQUEST FOR KEY EMPLOYEE DESIGNATION

DATE: _____
EMPLOYEE'S NAME: _____
CLASSIFICATION: _____
JOB TITLE /WORK LOCATION: _____

In order for an employee to be designated a "Key employee," a check must be placed in all three (3) boxes below.

☐ This employee is a FLSA exempt employee.

☐ This employee is among the highest paid 10% of all City employees within 75 miles of the worksite employed by the City (FLSA exempt and non-exempt) at time of leave, including wages, premium pay and incentive pay (check with PPSD, Compensation Manager -- attach documentation).

☐ There are no more than 10% of the City's employees within 75 miles of the worksite that have been designated as "key employees" as of the date of this form.

RECOMMENDED:

_____
Signature of Appointing Officer or
Departmental Personnel Officer

_____
Department

APPROVED:
DATE: _____

_____
Signature
Human Resources Director
Department of Human Resources

IF APPROVED:

NOTIFICATION OF RESTRICTED RIGHTS TO RETURN FROM FMLA LEAVE FOR KEY EMPLOYEE FORM SENT: BY:_____ DATE: _____

NOTE: If an employee is designated as a "key employee" and the City believes that job restoration will result in "serious and grievous economic injury," contact the City Attorney's Office to ensure that a notification letter is drafted in compliance with the FMLA and CFRA. This form does not provide notification of a decision not to reinstate following FMLA leave, only the possibility that such a decision may be made.

See FMLA Regulations, Section 825.217-825.219; CFR Regulations: CCR Title 2, Section 7297.2 (c)(2).

CITY AND COUNTY OF SAN FRANCISCO

DEPARTMENTAL REQUEST FOR KEY EMPLOYEE DESIGNATION

(FMLA Regs. Section 825.217)

DEPARTMENTAL PERSONNEL USE ONLY
To be completed and verified by the employee's departmental Human Resources Office. After completion, send this form to the Human Resources Director, Department of Human Resources, 44 Gough Street, San Francisco, CA 94103, for approval.

A "key employee" is a salaried, FLSA exempt, FMLA-eligible employee who is among the highest paid 10% of all City employees employed by the City within seventy-five (75) miles of the worksite* -- FLSA exempt and non-exempt. The determination of whether a salaried employee is among the highest paid 10% shall be made at the time the employee gives notice of the need for the leave.

In order to determine whether or not an employee is among the highest paid 10%, year-to-date earnings are divided by weeks worked by the employee (including weeks in which paid leave was taken). Earnings include wages, premium pay and incentive pay.

No more than 10% of the City's employees may be deemed "key employees."

When an employee has been designated as a "key employee" *at the time FMLA Leave is granted*, the City may deny job restoration if "such denial is necessary to prevent substantial and grievous economic injury to the operations of the employer."

In order for an employee to be designated a "Key employee," a check must be placed in all three (3) boxes on the reverse side of this form. If the "key employee" designation is approved by the Human Resources Director, the KEY EMPLOYEE DESIGNATION FORM MUST BE SENT TO THE EMPLOYEE IMMEDIATELY along with the Notification of Restricted Rights (FMLA 9).

* In cases involving City employees located at Hetch Hetchy, the determination of whether an employee is a "key employee" must be based on a comparison of compensation at the Hetch Hetchy facilities.

CITY AND COUNTY OF SAN FRANCISCO

FMLA 9

NOTIFICATION OF RESTRICTED RIGHTS TO RETURN FROM FMLA[1] LEAVE FOR KEY EMPLOYEE

Employee name: _____ Date: _____

Address: _____

_____

Classification & Title: _____

You have been designated by the Human Resources Director, Department of Human Resources, as a "key employee." Under the Family Medical Leave Act's regulations, as a "key employee," the City may deny restoration to your position after your FMLA Leave if it determines that it is necessary to prevent substantial and grievous injury to the City's operation.

THIS LETTER DOES NOT MEAN THAT YOU WILL NOT BE RESTORED TO YOUR POSITION FOLLOWING YOUR LEAVE. A RESTORATION DECISION HAS NOT YET BEEN MADE.

You will be notified as soon as possible if the City decides that it will deny you job restoration, and the reasons for this decision. *If your leave has commenced before this decision is made, you will be given a reasonable opportunity to return to work after receiving the notice.*

This Notification of Restricted Rights to Return from FMLA Leave is simply to inform you that you may not have automatic restoration rights to your position following your Leave.

If you have any questions, please contact your departmental Human Resource office or _____.

By: _____ _____
(signature) (date)

_____ _____
(printed name) (telephone number)

Via: _____ regular mail
_____ certified mail
_____ personal delivery

cc: Personnel File

[1] Refers to both Federal and State leaves under the Family Medical leave Act and the California Family Rights Act.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

MEMORANDUM
DHR NO. 11-04

DOCUMENTS DEPT
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DATE: March 31, 2004

TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: **Family Medical Leave Act Semi-Annual Summary**

The Department of Labor requires employers to maintain Family Medical Leave Act (FMLA) records in accordance with the record keeping requirements of Section 11 (c) of the Fair Labor Standards Act (FLSA).

Each department is required to complete and submit to DHR the FMLA Semi-Annual Summary in April and October of each year. Upon receipt of these summaries, DHR will compile the citywide statistics required by the Department of Labor.

The FMLA Semi-Annual Summary for the period October 1, 2003 - March 31, 2004 is due on Friday, April 30, 2004. Attached is a copy of the Semi-Annual Summary form. Please mail or FAX the completed summary to Jonathan Nelly at DHR, 44 Gough Street (Department #33), FAX number 557-4910.

This memo and the Semi-Annual Summary form were also sent by e-mail to each department's FMLA coordinator.

If there are questions regarding the form, instructions, or procedures, please contact Emily Morrison at 557-4951.

Thank you for your cooperation.

Attachment

FMLA Semi-Annual Summary
October 1, 2003 - March 31, 2004

Department Name _____
Department Number _____
Division/Bureau _____

Total number of requests		_____
Total approvals	=	_____
Number of a	=	_____
Number of b	=	_____
Number of c	=	_____
Number of d	=	_____
Total denials	=	_____
Number of 1	=	_____
Number of 2	=	_____
Number of 3	=	_____
Number of 4	=	_____

Signature of Human Resources Manager: _____

Print Name and Phone Number of Person Completing Report: _____

Send original to DHR #33
cc: Department's FMLA file

REASON CODES:

Approvals

a) Birth of the employee's child and to care for the newborn child.
b) Placement with the employee of a child for adoption or foster care, and to care for the newly-placed child.
c) To care for an immediate family member because such family member has a serious health condition.
d) Employee's own serious health condition that makes the employee unable to perform the functions of his/her position including an on-the-job injury or illness.

Denials

1) Employee exhausted FMLA Leave entitlement for the 12-month rolling period.
2) Reason for the request is not covered by FMLA.
3) Employee failed to provide required documentation/certification, or documentation/certification is incomplete.
4) Employee was not eligible for FMLA Leave at the time of the request.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea A. Gourdine, Human Resources Director

MEMORANDUM
DHR No. 13-04

DATE: April 15, 2004

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TO: Appointing Officers
Departmental Personnel Officers
Payroll and Personnel Clerks

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: SUSPENSION OF THE CLERICAL CLASS SERIES EMPLOYMENT REGISTER TESTING

NOTE: **PLEASE DISTRIBUTE TO ALL MANAGERS IN UNITS THAT MAY UTILIZE THE CLERICAL REGISTERS**

The Department of Human Resources temporarily suspended the continuous recruitment and the acceptance of applications for clerical registers (1424 Clerk Typist, 1426 Senior Clerk Typist, 1444 Secretary I, 1446 Secretary II and 1450 Executive Secretary) on January 13, 2004 to complete processing of the large number of applications received during the last quarter of 2003.

At this time, DHR is continuing the suspension of application receipt and continuous testing for these clerical classes due to the City's current budget situation, the large number of qualified candidates in the registers, the existing holdover rosters for some of the classes, and the diminished staffing resources at DHR to administer continuous register processes.

The continuous examination register process for the clerical class series has been very successful in that these registers have maintained sizeable, qualified candidate pools for expeditious appointment by departments. DHR is committed to continuing this valuable service; however, recruitment and testing activities must be reduced commensurate with our reduced staffing level. We will continue to monitor the registers and reopen for recruitment and acceptance of applications as needed to replenish the qualified applicant pools, and as available staffing resources allow.

If a Department Head has a strong need to reopen testing for any of these classes, please submit the request in writing Marsha Stroope, Deputy Director, Merit System Services, for review and prioritization. Please be sure to define the specific reason in your request; requests must be based on urgent business necessity, such a need for candidates with a specific job related requirements that are not available from the existing register (such as fluency in a foreign language needed to serve a specific client population). Ms. Stroope can be reached via e-mail, through interoffice mail at 44 Gough Street, or by telephone at 557-4937. Thank you.

DEPARTMENT OF
HUMAN
RESOURCES
CITY & COUNTY OF SAN FRANCISCO
Andrea R. Gourdine, Human Resources Director

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MEMORANDUM
DHR No. 10-04

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DATE: April 7, 2004

TO: All Departmental Personnel Officers
All Personnel Staff

FROM: Andrea R. Gourdine
Human Resources Director

SUBJECT: Withdrawal of Personnel Requisitions Prior to Approval

---

At times, a department may find it necessary to withdraw a personnel requisition that has been submitted but not yet approved by all required authorities.

Unlike an approved personnel requisition, which can be cancelled by submitting a Requisition Modification form, the procedure to withdraw a requisition that has not yet been approved is to contact any of the approving authorities, i.e. DHR-Classification, Mayor's Budget Office and Controller's Office, and request that they reject the requisition on behalf of your department.

Any one of the approving authorities can reject a requisition prior to approval; however, none of these authorities can reject a requisition if they have already approved it. Contact one of the approvers whose action is pending on the Requisition Status panel, to have them enter the reject action.

If you have questions regarding this procedure, please contact your DHR Classification analyst.

cc: Mayor's Budget Office
Controller's Office
DHR-MSS Classification Team
DHR-Referral Unit

PP:az

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM

DHR No. 15-04

DATE: May 17, 2004

TO: All Appointing Officers
Departmental Personnel Officers

FROM: Ted Yamasaki
Acting Human Resources Director

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SUBJECT: **Fiscal Year 2004-05 Citywide Layoff Action Items**

In preparation and coordination for the new fiscal year's citywide budget reductions, the following action items require your immediate attention:

- **Authorizations for Department Layoff Coordinators**
  Departments are requested to submit updates on authorized designees who will be the primary contact(s) with the Department of Human Resources (DHR) Layoff Processing Team on all layoff-related matters. In addition to being the primary contact, DHR will rely on the department coordinator to implement their respective department's layoff plan and act as a resource for individuals within the department who are affected by layoffs. Large departments may identify multiple coordinators to meet operational needs.

  Please submit a list electronically; identifying the name(s), and contact telephone and fax number(s) of your designated departmental coordinator(s) to Lucy Palileo, DHR – Layoff Processing Team (LOPT) by Friday, May 21, 2004 (lucy.j.palileo@sfgov.org). For your reference, attached with this memorandum is the current list of *Authorized Department Layoff Coordinators*. Designated departmental coordinators will be convened for training to familiarize them with this year's layoff procedures.

- **Layoff Impacted Classifications**
  DHR-LOPT will immediately "freeze" all personnel requisitions, regardless of classification, and perform the required analysis to determine Early Retirement Program (ERP) opportunities and/or return-to-duty placements. No new certifications will be issued and no oral authorizations (OA) will be granted. DHR-LOPT will hold all personnel requisitions until the analysis is completed. During this period, DHR will not allow the routine cancellation of any approved, open, and available requisitions. Non-routine cancellations of approved, open, and available requisitions will require the approval of the Mayor's Budget Director. DHR will "release" the holds on requisitions (approved, open, and available) when our analysis shows that a requisition is not needed for the ERP or a return-to-duty.

- **Effective Date for Layoffs**
  All budget-related layoffs should be effective COB August 31, 2004.

- **Special Conditions on Requisitions**
  Effective June 1, 2004, no new requests for requisition modification to add or update special conditions on existing requisitions will be processed.

- **PeopleSoft Data Base**
  The Department of Human Resources has established the PeopleSoft HRMS as the City's system of record for employment information. Departments are reminded that they continue to have the custodial responsibility for ensuring the accuracy and validity of job requisitions and employee records maintained in the PeopleSoft system. DHR-LOPT will assume the accuracy of open and available job requisitions data in the PeopleSoft system and use this information to take action on return-to-duty placements.

- **Advance Notice of Layoff/Meet and Confer Obligation**
  Departments are reminded to refer to applicable Memoranda of Understanding for layoff notification timelines and meet and confer obligations concerning the business impact(s) of layoffs. Advance notice templates have been developed and are available electronically for departmental use. For questions related to meet and confer obligations, please contact Alice Villagomez, Assistant Employee Relations Director at 557-4921.

Also, please be advised that a DHR *Layoff Information Line* has been established to provide pre-recorded information regarding the upcoming fiscal year's LOPT process. The DHR-LOPT will utilize this medium to provide information to impacted individuals on subjects pertaining to placement activities and other related subjects. Beginning June 1, 2004, we encourage all Departmental Personnel Officers and Layoff Coordinators to become familiar with the information provided in these announcements and to direct concerned employees to this number for information. The DHR Layoff Information Line number is *(415) 551-8920*.

Thank you for your prompt assistance with these important matters. For further information on other related matters, please call your department's assigned DHR-LOPT contacts:

- Layoff & ERP Coordination: HR Services & LOPT (Fax: 557-4868)
  - Kerry Ko -------- 557-4875
  - Emily Morrison --- 557-4951
  - Patricia Pon -------- 557-4816
  - Steve Martinez ---- 557-4857
  - Lucy Palileo -------- 557-4883
- Requisitions & Special Qualifications/Skills: Merit System Services
- Requisition Cancellation: HR Services Team (see above contact list)
- MOU interpretation & Meet and Confer Process: Employee Relations Division

LJP:az

cc: Marsha Stroope, MSS
Geoff Rothman, ERD
Alice Villagomez, ERD
Kerry Ko, Admin. Services
HR Services Team

Attachment: List of Department Layoff Coordinators

Department Layoff Coordinators

LAST NAME	FIRST NAME	CLASS	DEPT. #	CONTACT PHONE #
CHAN	ENG ENG	1224	1	415-554-7707
KOTAKE	DONNA	0953	2	415 554-6961
DUPREE	DAVID	8171	3	415-554-3939
KNUTZEN	MARTHA	8171	4	
TAYLOR-MONACHINO	EVETTE	1270	4	415-553-1009
AUYONG	ANGELA	1512	5	415-553-1677
GORWOOD	SGT. KATHY	8308	6	415-554-7225
IGNAO	ANGIE	1241	6	415-554-7217
PUN	JACKIE	1246	6	415-554-7225
MARINI	LINDA	1272	7	415-355-7364
SOLIMAN-VOLUNTAD	IMELDA	1241	7	415-241-6025
TAPIA	GUILLERMO	1241	8	415-554-4472
VOCCIA	LOUIS	1244	9	415-554-7552
MARTIN	CHERYL	876C	11	415-551-5725
HERNANDEZ-BRAN	MERCY	1246	12	415-753-7563
WILLIAMS	DEE	1244	13	415-553-1689
DILLAHUNTY	LISA	1244	14	415-241-2288
MORENO	TUTTI	1270	14	415-487-2451
SANTA CRUZ	MARIO	1270	17	415-356-2970
NG	MABEL	1824	18	415-581-2303
ABELA	CATHERINE	1244	19	415-558-6508
MARQUEZ	JOHN	1270	19	415-558-6148
PHILLIPS	EDWARD	1372	21	415-558-6687
ASSMAN	DAVID	1270	22	415-554-6393
SUNCIN	GEORGE	1370	23	415-554-9330
HENDERSON	KAREN	1370	25	415-252-3155
HENDERSON	KAREN	1370	25	415-252-3155
PHILLIPS	EDWARD	1372	25	415-558-6687
JENNINGS	JOSHUA	1244	26	415-355-3673
BLANDING	DOLORES	1270	27	650-821-2096
SALAZAR	ANGIE	1226	27	650-821-2050
GONCHAR	NANCY	1270	28	415-252-2595
CHAN	LYDIA	1270	29	415-558-6417
SANCHEZ	ANITA	0951	30	415-252-3254
BUSHONG	JESUSA	1244	31	415-558-3615
HILL	KAREN	1226	32	415-554-2403
LUM	MICHAEL	1270	32	415-554-1631
KO	KERRY	1270	33	415-557-4875
SMITH	JOYCE	2991	34	415-252-2520
BUCHBINDER	DIANA	1276	35	415-554-6855
KESSLER	JERRY	1270	35	415-554-7320
JOHNSON	CATHERINE	1408	37	415-575-6882
MEDLEY	DONNA	8128	38	415-597-7711
DUPREE	ADA	1241	38	415-558-2463
RAMES	PATRICIA	1226	38	415-553-1344
MALLEGNI	KATHY	9375	39	415-274-0421
HILL	KAREN	1226	40	415-554-2403

LUM	MICHAEL	1270	40	415-554-1631
CHAN	STEPHANIE	1241	41	415-557-4568
VANDIVER	MARK	1244	41	415-557-4581
DANIEL	TERRENCE	1244	42	415-831-2793
GEE	KIN	1272	42	415-831-2776
MARTINEZ	LINDA	1241	42	415-831-2735
GOODSON	TERRY	1244	44	415-487-7026
FREEMAN	EUGENE	1270	45	415-557-5751
SAUCEDA	LEO	1244	45	415-557-5568
LARA	STEVE	1270	46	415-554-6312
HILL	KAREN	1226	47	415-554-2403
LUM	MICHAEL	1270	47	415-554-1631
TAYLOR-MCGHEE	BELLE	1270	48	415-252-2558
CASEY (CC)	BERNICE		48	415-252-2570
KAY	BERYL		60	415-750-7211
ALBUQUERQUE	DEBBIE		61	415 750-3673
PECHENIK	VALERIE		62	415 581-3720
BELL	MARCIA	0180	63	415-554-6821
KENNEY	MOIRA	0923	64	415-554-9250
WOLF	DELENE	1270	65	415-252-4666
LITTLE	NAOMI	0961	68	415 554-3938
LUBAMERSKY	JOAN	0923	69	415-554-4859
WOO	NANCY	1270	69	415-554-6880
LUBAMERSKY	JOAN	0923	70	415-554-4859
WOO	NANCY	1270	70	415-554-6880
LUBAMERSKY	JOAN	0923	71	415-554-4859
WOO	NANCY	1270	71	415-554-6880
BAKER	SID	3453	72	415-285-5010
KELLER	SUE	1823	74	415-553-1699
KUWAMOTO	GAIL	1270	75	415 554-4322
LUBAMERSKY	JOAN	0923	76	415-554-4859
WOO	NANCY	1270	76	415-554-6880
HERNDON	ALICE	1270	77	415-558-3821
TOM	EUGENE	1471	80	415 554-4308
AUYANG	ROD	1272	81	415-206-5033
BIASBAS	ANNA	1202	81	415-206-5029
LEE	CHARLES	1226	90	415-554-6022
REDMOND	MOLLY	1222	90	415-554-6014
WONG	TAMMY	1270	90	415-554-6000
LUBAMERSKY	JOAN	0923	91	415-554-4859
WOO	NANCY	1270	91	415-554-6880
HILL	KAREN	1226	92	415-554-2403
LUM	MICHAEL	1270	92	415-554-1631
LUBAMERSKY	JOAN	0923	93	415-554-4859
WOO	NANCY	1270	93	415-554-6880

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

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MEMORANDUM
DHR No. 16-04

DATE: June 3, 2004

TO: Appointing Officers, Personnel Officers, Payroll & Personnel Clerks

FROM: Ted Yamasaki, Acting Human Resources Director

SUBJECT: **EXTENSION OF TEMPORARY APPOINTMENTS**

Civil Service Commission Rules 114, 214, 314, 414 provide that a provisional appointment is time limited to a maximum duration of the hourly equivalent of 130 working days and may not exceed 1040 hours in any class in any department in a calendar year. The Rules also provide that provisional appointments may be extended with the approval of the Human Resources Director for additional periods of time not to exceed, for each extension, the specified time limitations.

Extension of Temporary Provisional Appointments

In accordance with Civil Service Commission Rules, active **Temporary Provisional (TPV)** appointments with expiration date of June 30, 2004 will be extended. The new expiration date is December 31, 2004, assuming that requisitions for the appointments are valid to December 31, 2004. Please be sure that employees complete an updated Notice to Provisional Appointee form.

If your department elects not to extend an appointment, please issue a separation report in accordance with applicable Civil Service Rules and/or MOU notification provisions.

Temporary Appointments Not Extended

Temporary Civil Service (TCS), Limited Tenure (TLT), Non-Civil Service (NCS) and **Temporary Exempt (TEX)** appointments will not be automatically extended. Please review applicable Civil Service Commission rules relevant to these appointment types. Please also review DHR Memorandum No. 14-04, issued on April 30, 2004, concerning Temporary Exempt Requisitions and Appointments.

In addition, there are provisional (**TPV**) appointments that should not be automatically extended. Departmental human resources personnel must review their departments' TPV appointments to determine if they should be excluded from automatic extension. Reasons for not extending a provisional appointment may include the following: the appointment has reached the three-year limit established by the San Francisco Charter, an eligible list

currently exists from which permanent appointments could be made, or the appointment was made for a specific duration with an end date other than June 30, 2004. Information on the reason for a provisional appointment is in the PeopleSoft Human Resources Management System (HRMS), in the 'OA Type' field.

If an appointment is not extended, please submit a separation report for the expired appointment.

DHR Contacts

Please contact Ellen Gunselman in DHR's EEO Division at 557-4832 about provisional appointments. Contact the DHR Referral Unit about other temporary appointments. Temporary appointments that expire and are not extended will be deemed to be invalid.

For further information, call your department's contact in the Department of Human Resources:

Appointments:	HR Services Group, EEO
Requisitions:	MSS, HR Services Group
Separations:	HR Services Group
MOU Provisions:	Employee Relations Division

File: DHR EEO Extension of PV Appts

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 17-04

Date: June 1, 2004

To: Department Heads
Departmental Personnel Officers

From: Ted Yamasaki
Acting Human Resources Director

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SUBJECT: Update on Pending Resolution to Extend Provisional Appointments

As you may be aware, on March 3, 2004 the Department of Human Resources (DHR) submitted a resolution to the Board of Supervisors (Res. #040239) to extend provisional appointments of incumbents in classifications:

Manager I	1842 Management Assistant
Manager II	2998 Representative, COSW
Manager III	3280 Assistant Recreation Director
Manager IV	3281 Recreation Director
Manager V	4321 Cashier 2
Manager VI	5278 Planner 2
Manager VII	5283 Planner 4
Manager VIII	5293 Planner 4
1237 Training Coordinator	5608 Senior Energy Specialist
1410 Chief Clerk	9343 Roofer
	H-30 Captain (Fire Department)

Our records indicate the following departments are impacted by this request:

- Administrative Services
- Airport
- Department of Children, Youth and their Families
- Controller
- Planning Department
- Department of Child Support Services
- Department of Building Inspection
- Department of Public Health
- Department of Public Works
- Department of Human Services
- Emergency Communications Department
- Public Finance and Business Affairs

- Department of the Environment
- Fire Department
- Department of Human Resources
- Port
- Parking and Traffic Department
- Public Utilities Commission/Water
- Recreation and Park Department
- Department of Elections
- Office of the Treasurer/Tax Collector
- Commission on the Status of Women

STATUS OF THE RESOLUTION TO EXTEND APPOINTMENTS

The resolution to extend appointments was submitted to the Board of Supervisors (BOS) in accordance with Charter Section 10.105 and referred to the Finance and Audit Committee.

The BOS Finance and Audit Committee, following three hearings, requested that the resolution be divided into two separate resolutions -- one identifying "entrance" Manager appointments (Resolution #040491), and one identifying "promotive" Manager appointments and the remaining City classifications (Resolution #040239 revised).

At the April 28, 2004 Finance and Audit Committee meeting, the Committee deferred action on the resolution to the BOS Budget Committee for consideration during the budget review process. As a result, the extension approval or denial of these appointments has been postponed. During this period, DHR will take no action related to the employment status of these expiring provisional appointments.

DHR EXAMINATION PLAN

The DHR MCCP examination plan has been developed, and we will proceed with examinations for those positions for which classification allocations have not been challenged. Specific information regarding the plan is forthcoming.

If you have any questions regarding this issue or regarding the specific appointments that are impacted by these pending resolutions, please contact Marsha Stroope, Deputy Director, Merit System Services Division at 557-4937.

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 18 - 04

Date: June 18, 2004

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Ted Yamasaki
Acting Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

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Re: **BARGAINING UNIT ASSIGNMENT - INITIAL ASSIGNMENT**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignment is hereby determined as indicated below. This assignment is effective ***July 1, 2004.***

Job Code	Unit Assignment	Certified Representative
5508 Project Manager IV	11 – F	International Federation of Professional and Technical Engineers, Local 21 (EGC: 021)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van

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Ness Avenue, Suite 720, San Francisco, CA 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at (415) 252-3250 to request the required form if you wish to file a protest regarding the unit assignment set forth above. If you have questions regarding this assignment, please contact Janet Rogers at (415) 557-4915.

In general, provisions of the collective bargaining agreement with the employee organization listed above will apply prospectively to employees in the assigned job code from the effective date of the assignment.

ee: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Tinhha Luong, PPSD
Brent Lewis, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Jeffrey Hildebrant, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 19-04

Date: July 9, 2004

T0: Department Heads
Departmental Personnel Officers
Departmental Payroll and Personnel Clerks

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From: Ted Yamasaki
Acting Human Resources Director

SUBJECT: Revised Procedures for Issuing Provisional and Exempt Announcements for MCCP Job Codes

On March 2, 2004 (DHR Memo No. 06-04), the Department of Human Resources issued published procedures for issuing provisional and exempt announcements for MCCP job codes. Please be advised that these procedures have been revised to now require the posting of Range A only on the job announcement. The note section of the job announcement must provide information regarding appointment above Range A.

The revision is intended to avoid misleading applicants as to the unrestricted availability of ranges B and C for placements in MCCP positions. Attached is the revised **MCCP Uniform Procedures Guidelines for issuing Provisional and Exempt Announcements** to fill vacancies in MCCP job codes.

We appreciate your assistance in ensuring the appropriate consistency in the issuance of these announcements.

If you have any questions when issuing MCCP job code announcements, please contact the MCCP Implementation Team at 415.557.4863.

Attachment

Modified MCCP Uniform Procedures Guidelines for Issuing Provisional and Exempt announcements

1. The Department of Human Resources must approve the draft of any MCCP announcement prior to issuance of the announcement.

2. The annual salary range is always $ (Annual Range "A" minimum) to $ (Annual Range "A" maximum).

3. The requisition should be noted with the MCCP file number in the notes section. This number may be obtained from the MCCP Implementation team.

4. Certain standard language is required on all announcements (see table below).

The following standard language is required as indicated in the table below:

	Department Heads (0961 – 0965) and Deputy Directors (0951 – 0955)	**Managers (0922 – 0943)**
Compensation and Benefits Section	In addition to competitive salaries, the City offers flexible benefit plans with pre-tax elections which include: medical and dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-term Disability Plan; Life Insurance; paid Management Training program; 11 paid holidays per year; 10 floating holidays; 10 to 20 vacation days per year, depending on years of service; and 5 days of paid executive leave per year.	In addition to competitive salaries, the City offers flexible benefit plans with pre-tax elections which include: medical and dental insurance; Retirement Plan; Deferred Compensation Plan; Social Security; Long-term Disability Plan; Life Insurance; paid Management Training program; 11 paid holidays per year; 10 floating holidays; 10 to 20 vacation days per year, depending on years of service; and may earn up to 100 hours paid administrative leave per year.
Notes Section **(Add to ALL announcements after compensation and benefits section)**	The normal annual salary range is $ (Annual Range "A" minimum) to $ (Annual Range "A" maximum). Appointments above the maximum of the normal range $ (Annual Range "A" minimum to $ (Annual Range "A" maximum) may be considered based on documented and substantiated recruitment and retention issues or exceptional skills. A special approval process is necessary for appointment above the normal salary range.	

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 20 - 04

Date: July 30, 2004

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

Through: Ted Yamasaki
Acting Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

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Re: **BARGAINING UNIT ASSIGNMENT - INITIAL ASSIGNMENT**

In accordance with the procedure for bargaining unit assignments issued by this office on October 12, 1990, the following bargaining unit assignment is hereby determined as indicated below. This assignment is effective ***August 14, 2004.***

Job Code	Unit Assignment	Certified Representative
5502 Project Manager I	11 – F	International Federation of Professional and Technical Engineers, Local 21 (EGC: 021)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van

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Ness Avenue, Suite 720, San Francisco, CA 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at (415) 252-3250 to request the required form if you wish to file a protest regarding the unit assignment set forth above. If you have questions regarding this assignment, please contact Janet Rogers at (415) 557-4915.

In general, provisions of the collective bargaining agreement with the employee organization listed above will apply prospectively to employees in the assigned job code from the effective date of the assignment.

cc: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Tinhha Luong, PPSD
Brent Lewis, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Jeffrey Hildebrant, Health Service System
Alona Bumanlag, DHR

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 21-04

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Date: July 27, 2004

To: Appointing Officers
Departmental Personnel Officers
Departmental Layoff Coordinators

From: Ted Yamasaki, Acting Human Resources Director

Subject: Layoff Processing and Early Retirement Update

The Department of Human Resources Layoff Processing Team, in coordination with the Mayor's Budget Office, is continuing to process layoff and returns to duty. At the same time, the Early Retirement Program analysis has been completed and offers of early retirement are being extended to qualified employees.

This memo is intended to provide you with important information regarding the processing of layoffs and early retirement offers.

I. Rescission Processing

Departments are responsible for issuing layoff rescissions resulting from final budget actions.

Upon confirmation from the Mayor's Budget staff, Departments must complete and immediately send notices of layoff rescissions to affected employees. Copies of rescission notices must be forwarded to the DHR Layoff Processing Team by fax or hand delivered immediately after noticing the employee.

II. Layoff Processing

A. Departments are responsible for issuing additional layoff notices resulting from final budget actions.

Upon confirmation from the Mayor's Budget staff, Departments must complete and immediately send notices of layoffs resulting from final budget actions to affected employees. Affected employees should be noticed no later than August 1, 2004 for layoffs effective September 30, 2004 (COB). Copies of notices and separation reports must be forwarded to the DHR Layoff Processing Team by fax or hand delivered immediately after noticing the employee.

B. Departments are responsible for issuing Displacement Notices to Affected Employees.

Departmental Layoff Coordinators will begin receiving specific information on employees impacted by displacement. It is critical that these employees receive displacement notices immediately. Unless otherwise directed by the Layoff Processing Team, the effective date of displacements is August 31, 2004 (COB). Copies of displacement notices must be forwarded to the DHR Layoff Processing Team by fax or hand delivered immediately after noticing the employee.

C. Processing of Reinstatements

Departments are expected to identify start work dates for reinstated employees with no break in service. If the reinstatement will result in a displacement of an employee, the Departmental Layoff Coordinator MUST immediately contact the DHR Layoff Processing Team.

III. Early Retirement Offers

Offers of early retirements are currently being finalized for distribution to qualified employees.

A. A copy of the offer letter will be sent to the employee's departmental layoff coordinator.

B. The Retirement System will send a notice of retirement to the Department representative when the qualified employee accepts the offer and selects a retirement date.

The cooperation and prompt processing of layoffs and displacements from the Departmental Layoff Coordinators are essential to the successful completion of the layoff process.

For additional information, please contact the following individuals:

Layoffs and Rescission Processing:	Kerry Ko, 557-4875 Lucy Palileo, 557-4883 Emily Morrison, 557-4951 Steve Martinez, 557-4857
Return to Duty Processing:	Patricia Pon, 557-4816 Mauricio Martinez, 557-4846
Early Retirement Processing:	Kerry Ko, 557-4875 Ted Yamasaki, 557-4815

cc: Ben Rosenfield, Mayor's Budget Director
DHR Layoff Processing Team

DEPARTMENT OF HUMAN RESOURCES
CITY & COUNTY OF SAN FRANCISCO

MEMORANDUM
DHR No. 22 - 04

Date: August 20, 2004

To: Department Heads
Departmental Personnel Officers / Payroll Personnel
Employee Organization Representatives

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Through: Ted Yamasaki
Acting Human Resources Director

From: Geoffrey L. Rothman
Employee Relations Director

Re: **BARGAINING UNIT ASSIGNMENT - INITIAL ASSIGNMENT**

In accordance with the authority for determining unit assignments, the following classification is hereby assigned as indicated below. The assignment effective date is ***September 11, 2004.***

Job Code	Unit Assignment	Certified Representative
5504 Project Manager II	11 – F	International Federation of Professional and Technical Engineers, Local 21 (EGC: 021)

By copy of this memorandum it is requested that departments with employees in the affected job code notify such employees of the assignment and of Employee Relations Ordinance Section 16.210 (B) which reads as follows:

> "In the event an employee or employee organization disagrees with his or her or its inclusion in a particular unit above, the aggrieved party may submit a protest to an administrative law judge for a hearing and final determination. In arriving at said determination, said judge shall consider, in addition to any other factors, the similarity of skills, wages, hours and other working conditions among the employees involved, the history of collective bargaining with regard to the employees involved and the desires of said employees."

Per Civil Service Rule 107, 'Procedures for the Utilization of Administrative Law Judges', any request for such hearing should be directed to the Executive Officer of the Civil Service Commission, 25 Van

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Ness Avenue, Suite 720, San Francisco, CA 94102. Such requests are to be received no later than twenty (20) calendar days from the date of this notice. Please contact Kate Favetti at (415) 252-3250 to request the required form if you wish to file a protest regarding the unit assignment set forth above. If you have questions regarding this assignment, please contact Janet Rogers at (415) 557-4915.

In general, provisions of the collective bargaining agreement with the employee organization listed above will apply prospectively to employees in the assigned job code from the effective date of the assignment.

cc: Kate Favetti, CSC
Yvette Gamble, CSC
James Smothers, PPSD
Ron Bladow, PPSD
Johnny Zabala, PPSD
Seretha Gallaread, PPSD
Tinhha Luong, PPSD
Brent Lewis, Controller
Oli Sadler, DTIS
Clare Murphy, Retirement
Jeffrey Hildebrant, Health Service System
Alona Bumanlag, DHR

City and County of San Francisco

Gavin Newsom
Mayor

Department of Human Resources

Philip A. Ginsburg
Human Resources Director

MEMORANDUM
DHR No. 23-04

DATE: October 18, 2004

TO: Appointing Officers
Departmental Personnel Officers

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FROM: Philip A. Ginsburg, Human Resources Director

SUBJECT: Department of Elections Request for Poll Workers

The Department of Elections (DOE) is requesting that City departments provide employees to assist with the upcoming November 2, 2004 election. The intent of this memorandum is to inform all departments of the DOE request and to provide guidance regarding the compensation and other terms and conditions of employment when Appointing Officers assign personnel to the Department of Elections for election day duties.

Background

In the past, many City employees have assisted with election day operations, including working as field elections deputies and poll workers. The San Francisco Charter provides that the Board of Supervisors must approve a waiver permitting City personnel to assist in elections. Recently, the Board of Supervisors approved a waiver permitting City personnel to assist in the upcoming, November 2, 2004 election.

The Department of Elections is requesting other City departments to provide City employees to serve as election workers. City employees who are fluent in Cantonese, Mandarin, and Spanish are especially needed.

Employment Issues

If an Appointing Officer determines that he or she can assign personnel to the Department of Elections, the Appointing Officer should first solicit employees to *volunteer* for the elections work. Employees who volunteer for elections work shall be paid their regular rate of pay for their normal work schedule by the department for whom they work. Employees needed to work on election day beyond their normal work schedule shall be eligible for compensatory (comp) time or overtime as set forth in their respective MOUs. Employees shall be eligible for all other beneficial terms and conditions of employment to which they would otherwise be eligible if they were working the same number of hours in their normal work assignment.

Appointing Officers may also *assign* staff for the elections work. As above, employees who are assigned to assist with elections work must be paid according to their union contract as if they are performing their normal duties.

Poll workers and field elections deputies are required to attend a training session that is usually conducted on a weekend day or weekday evening. If the training session is outside the employee's normal work schedule, the employee is also eligible for comp time or overtime (as set forth in the employee's union MOU) for the training.

Finally, certain enterprise departments may be limited in their ability to assign staff to the Department of Elections. Please consult with your finance staff or the Department of Elections for further clarification.

Attached for your convenience is the Department of Election's City Employee Temporary Assignment Form. For additional information, please contact Alma Muro at 554-4308 or return the attached form by fax to 554-7829.

Attachment

cc: Katherine Petrucione
John Arntz, Director, Elections Department

DEPARTMENT OF ELECTIONS
City and County of San Francisco

JOHN ARNTZ
Director

CITY EMPLOYEE TEMPORARY ASSIGNMENT TO ELECTION DUTIES

PLEASE PRINT

Employee Name: _____

Home Address: _____

Department: _____

Work Address: _____

Day Contact Phone: _____ Evening/Cell Phone: _____

Languages spoken fluently other than English: _____

I have a vehicle that I can use on election day: _____ yes _____ no

ACKNOWLEDGEMENT

- ► **I am a California Registered Voter**
- ► **I am available to work during the hours of 6:00 A.M. and 9:00 P.M. on November 2, 2004**
- ► **I understand that if my services are not required for all or any portion of election day, I must return to my regular duties.**

Signed _____ **Date** _____
Employee

The above listed employee is released from his/her regular duty to work on election day, November 2, 2004.

Printed Name: _____ _____
Department Head or Authorized Representative **Title**

Signature: _____ **Date** _____

PLEASE FAX BACK TO ADMINISTRATIVE SERVICES, FAX NUMBER: 415-554-7829
Any inquiries, please contact Alma Muro at (415) 554-4308

1 Dr. Carlton B. Goodlett Place – Room 48, San Francisco, CA 94102-4634
Voice (415) 554-4375; Fax (415) 554-7344; Absentee Fax (415) 554-4372; TDD (415) 554-4386

City and County of San Francisco

Gavin Newsom
Mayor

Department of Human Resources

Philip A. Ginsburg
Human Resources Director

MEMORANDUM
DHR. No 24-04

Date: December 7, 2004

To: Department Heads
Departmental Personnel Officers
Payroll and Personnel Representatives

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From: Philip A. Ginsburg P.A.
Human Resources Director

Subject: **Christmas and New Year's Holidays 2004/2005**
Observed Holiday Staffing and Holiday Pay

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This year Christmas and New Year's fall on a Saturday. This memo is intended to describe pay for personnel assigned to work on December 24, 2004 and December 31, 2004, (Observed Holidays) and for those who actually work on the legal holidays.

Administrative Code Section 16.4 requires that City offices remain open on December 24 and December 31. Employees who, as part of their regular schedule, are assigned to work on either of these dates will be paid regular, straight time pay, and will be granted an in-lieu holiday at a later date to be scheduled by mutual agreement with the appointing officer or designee.

Employees regularly scheduled to work on December 25 or January 1 are either granted the day off with pay, or receive Holiday Pay or Compensatory Time for hours worked.

Employees required to work on December 25, 2004 or January 1, 2005 receive Holiday Pay or Compensatory Time as provided under the appropriate collective bargaining agreement.

Employees assigned to seven-day/ twenty- four hour operation departments and employees assigned to work a five- day workweek other than Monday through Friday are allowed another day off if the legal holiday falls on one of their regularly scheduled days off. Employees whose schedules are changed because of shift rotations are also allowed an in-lieu day off if the legal holiday falls on one of their new days off.

No employee may receive holiday pay for both Friday and Saturday.

For additional information, please contact Steve Ponder, Compensation Manager, at 557-4917.

c: Alice Villagomez
Steve Ponder

Human Resources Deputy Director Ray Wong's Retirement Party

Thursday, January 13, 2005
5:30pm No-host Cocktails
6:30pm Dinner
FUN and GAMES ALL EVENING

PATIO ESPANOL RESTAURANT
2850 Alemany Blvd
San Francisco, CA 94112

RSVP by Tuesday, January 4, 2005
* *

Your meal will include: Green Salad /Rolls & Butter /Coffee /Dessert /Wine / Choice of entrée:

_____ Paella Valenciana (a saffron flavored rice dish with meat, seafood and vegetables)
_____ Poached Salmon with a Champagne Sauce
_____ Roasted New York Strip with a Mushroom Sauce
_____ Vegetarian available by request

$45.00 (includes dinner and gift)

Name(s): _____
Address: _____
Phone No (area code) _____
Qty: _____ Total Order: $_____

Make check payable to: "LINDA LEE"

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